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International Solidarity and Protection of Political Detainees¹

by Jacques Moreillon

To speak on the theme "Solidarity and Protection of Political Detainees" is unquestionably a difficult undertaking. Today, in 1980, the problem of so-called "political" detainees is one of the most controversial of issues and also one that has become heavily politicized. It is no easy matter to discern any truly universal solidarity concerning such a problem.

Difficulties arise already when a definition has to be agreed upon. In the defining of human rights, in contrast, there is unanimity at least on principles: States and experts subscribe to the same Universal Declaration of Human Rights and the same Covenants. Of course, there are divergent views on the application of these texts and on the emphasis which should be laid on the pursuit of this or that particular right rather than on others, but the basis is universal and it can be said that there is genuine solidarity concerning the objectives which should be ideally achieved in the field of human rights.

But in the case of political detainees, there is nothing of the kind. In the first place, there is no commonly accepted definition. In the climate of ideological confrontation which is characteristic of most

¹ Paper read at the Congress "International Solidarity and Humanitarian Actions", of the International Institute of Humanitarian Law, San Remo, 10-13 September 1980.

situations of internal disturbances and tension, the gravity of the offences with which political detainees are charged are viewed from diametrically opposite standpoints. In the eyes of some, they are dangerous trouble-makers, for others they are heroes. The ideals which lead one man to prison may well raise another to power. Often, governments which imprison political detainees do not recognize that they belong to a special category of detainee, or else their own definition of political detainees is such that it applies only to situations which are unknown in their country.

In an international community where, at least by all appearances, order is the outcome of respect for law and the law is the creation of the State, one can conceive of the State's distrust of individuals whose common denominator is their opposition to the power of the State in their own country.

And yet, in spite of these apparently insuperable difficulties, the ICRC believes that international and universal solidarity in the matter of political detainees is possible. To achieve it there is one golden rule: a clear distinction must be made between the struggle for the release of political detainees on the one hand, and concern for their conditions of detention on the other, in order to limit the "scope of universal solidarity" to their *treatment* alone.

There will nearly always be some divergence on the reasons put forward to justify the imprisonment of certain categories of persons, but it will be less difficult to reach agreement on how they should be treated during incarceration. Everyone will agree—in theory at least—that all persons, irrespective of the charges against them and of the designation under which they may be classified, are entitled to treatment which conforms at least to a minimum standard. For this there is a theoretical basis which is universally accepted because it is consistent with unanimously recognized fundamental human rights.

It is therefore possible, quite objectively, to discern a theoretically international solidarity on the question of *treatment* of all detainees, including so-called political detainees.

Obviously, from the theoretical position to practical action for the benefit of detainees there is quite a step. For this purpose, the ICRC observes rules which it has set itself and which should permit its work to be universally understood and accepted, and hence to be the expression of international solidarity in this field.

The first rule is that *action* must be taken. It was the help given at Solferino which was the source of the universality of the Red Cross and of international humanitarian law, and this philanthropic urge can be easily understood without need of explanation.

The second rule is that such action must be *humanitarian*. Its purpose should be to prevent suffering in excess of that resulting from being put *hors de combat* or from a penalty legally inflicted on a detainee. Such humanitarian action should be quite free of any political influence or motive; it must be completely neutral and impartial.

In the third place, *definitions must be avoided*. Labels of all kinds are attached to political detainees, but their common factor everywhere is that their acts, words or writings are considered by the authorities to constitute such a menace to the existing political system that those persons' opposition must be quelled by their being deprived of their freedom. The legal or material nature of such a penalty has varied in different periods of history and from country to country. Its aim may be punitive, preventive, re-educational or reintegrational. It may be inflicted under normal law or emergency regulations. It may be the result of an administrative ruling enforced for a definite or for an indefinite period. In addition, unlike penal law criminals whose aims are limited and self-seeking, political detainees generally have a much wider objective, one which is a threat to the authorities in power or is so considered by the State.

The ICRC must therefore determine in each country, in agreement with the authorities, the name to be given to this category of persons, rather than waste time in pointless discussion on whether they are "political" detainees or not. Actually, in general, the authorities, the ICRC and the detainees themselves know who is meant; no definition is necessary. Moreover, a single general definition would lead to a purely academic and probably fruitless discussion, and one which in any case is beside the point—the humanitarian aspect which is all the ICRC is concerned with.

Fourthly, *no pronouncement shall be made about the reasons for detention*. Only at this price can the ICRC hope to gain access, and be of help to detainees. In some quarters this is held to be too high a price, but not so in the Red Cross which, if it chose to attack the causes of some evils, would sacrifice its ability to alleviate their effects. There are, incidentally, plenty of other organizations ready to protest when people are thrown into prison. Sometimes, even governments have no hesitation

in doing so. But it is essential that one organization in the international community should do what no other can, even if, to do so, it should abstain from doing what the others do. This self-imposed restriction may appear regrettable, but it is the one adopted by the entire Red Cross, not just the ICRC. Unanimity is achieved only on the lowest common denominator, which in point of fact is not so small as might appear, since it is the great principle of humanity, the principle which unites the 250 million people who make up the Red Cross throughout the world. So it is first and foremost on this principle of humanity that there is solidarity in the matter of political detainees.

These rules for action having been set, it may be asked why should the matter of so-called political detainees be examined, and why should the expression of any kind of international solidarity with them be sought. The answer, quite simply, is because the struggle does not necessarily come to an end with the arrest and incarceration of such people. Even deprived of his freedom, the political detainee often continues to be an active or potential adversary, while the State, the natural protector of the rights of individuals, or the agents of the State, often no longer feel obliged, as formerly, to respect an adversary who challenges their legality and rejects their authority. Those in power, therefore, are strongly tempted to destroy once and for all this rebellious force, if necessary by the most brutal of methods. This temptation to wield arbitrary power, particularly prevalent in countries where any political opposition, however expressed, is automatically castigated as subversion, is far stronger where political detainees are concerned than when prisoners of war fall into the hands of enemy troops. Although prisoners of war and their guards are the agents of two enemy sovereign powers, they generally feel quite naturally that their common lot as soldiers somehow brings them together.

In fact, it has been the experience of the ICRC that even when the highest authorities of a country wish so-called political detainees to be humanely treated—which is not always the case—that wish is often ignored in practice. Moreover, such detainees are not always able to convey their complaints to the appropriate authorities, who might be both able and willing to ensure that they are properly and humanely treated. In short, political detainees are very often in need of protection.

The international community has empowered the ICRC to propose such protection to the State directly involved. Under article 6, paragraph 5, of the Statutes of the International Red Cross, the ICRC is a

“neutral institution whose humanitarian activity is carried out particularly in time of war, civil war, or internal strife” and which “endeavours at all times to ensure the protection of and assistance to military and civilian victims of such conflicts and of their direct results”.

It is true that in such situations, as also in civil wars covered by article 3 of the Geneva Conventions or Protocol II, governments are not obliged to accept the ICRC's offers of service, but the intention of the community of States was to give the ICRC the unquestionable right to offer its services in the event of international strife, without being accused of interfering in the internal affairs of any State. In other words, in the event of internal strife, a government may decline the ICRC's offer but it may not tell the International Committee that it is meddling in what is not its business.

It should be remembered, in this connection, that the Statutes of the International Red Cross were adopted unanimously by the International Red Cross Conference which, as is well known, brings together not only the National Societies, the League which is the federation of those Societies, and the ICRC, but also all States parties to the Geneva Conventions; the governments, therefore, are bound by those Statutes. Those Statutes, not only in their present version—which dates back to 1952—but even in their original version of 1928, provide for ICRC activity in favour of victims of internal strife. Before 1928—since 1921, in fact—the States parties to the Geneva Conventions encouraged the ICRC to act in aid of victims of what at that time were called “social and revolutionary disturbances” in resolutions adopted by the International Red Cross Conference.

In fact, the International Conference went even further in the mandate it assigned to the ICRC, since article 6, paragraph 6, of the International Red Cross Statutes states that the Committee “takes any humanitarian initiative which comes within its role as a specifically neutral and independent institution and intermediary”. There is no doubt that, by the adoption of such a clause, the States sought to give an organization which enjoyed their full confidence an extensive right of humanitarian initiative, permitting it to offer its services whenever necessary, without the States' being obliged, however, to accept.

By this means it was sought to reconcile the imperatives of humanity with those of internal sovereignty and security, which is precisely what the ICRC does when it concerns itself with political detainees. Thereby, the ICRC's activities are unquestionably the main—if not the only—expression of international solidarity regarding political detainees.

To put it another way, this international solidarity, which finds expression through the Geneva Conventions, even at the height of armed conflicts, has been extended, through the medium of the ICRC, into situations of internal strife and tension.

The concept "internal strife"—to which the Statutes of the International Red Cross allude—has not been officially defined in international public law. What can be said, in any case, is that strictly speaking it is outside the framework of international humanitarian law, that is to say, not restricted to the situations of non-international armed conflicts such as those to which article 3 common to the Geneva Conventions and Protocol II, apply. The generally recognized definition of internal strife is the one drawn up by the ICRC, on the basis of discussions at various meetings of experts, for submission to the First Conference of Government Experts which met in 1971 to prepare the Diplomatic Conference on international humanitarian law: "This involves situations in which there is no non-international armed conflict as such, but there exists a confrontation within the country, which is characterized by a certain seriousness or duration and which involves acts of violence. These latter can assume various forms, all the way from the spontaneous generation of acts of revolt to the struggle between more or less organized groups and the authorities in power. In these situations, which do not necessarily degenerate into open struggle, the authorities in power call upon extensive police forces, or even armed forces, to restore internal order. The high number of victims has made necessary the application of a minimum of humanitarian rules."

But there may be political detainees even if there are no internal disturbances. On the strength of the humanitarian right of initiative which it has received from the international community, the ICRC has gradually extended its activities, especially during the last fifteen years, to the victims of situations involving no more than internal tension, in which—without there being internal strife—individuals have need of ICRC protection. It is true that some governments have refused the International Committee's services or have sought to make their acceptance conditional on restrictions which the ICRC could not accept. In addition, the ICRC itself has sometimes refrained from offering its services, when preliminary enquiries or objectively observed conditions have clearly shown that its offer would be refused or would be detrimental to the detainees. Incidentally, the growing tide of internal disturbances and tensions has impelled the ICRC to prune its activities in this field and keep them to a level which its limited resources permit.

It is interesting to note that no State has complained to the ICRC that its security has been jeopardized by such visits or that the legal status of the persons visited has been affected. This is all the more remarkable in that it was as long ago as 1919 that the ICRC first helped prisoners during internal disturbances and tension and that since then it has visited more than 300,000 so-called political detainees in 75 countries.

As we are considering this theme from the angle of solidarity, it may perhaps be appropriate to underline to what extent ICRC help to political detainees is connected to a number of aspects which should by their very nature infuse us all with a feeling of solidarity: housing, food, leisure, hygiene, physical and psychological treatment are of concern to all human beings, and it should be easy to understand them, even should they be applied to one's enemies. Yet despite that, there is no doubt that a sort of ideological racism more and more closes men's minds to empathy with a fallen enemy even in matters so essentially humane. The struggle for power, especially when waged in the name of a doctrine, assumes all the aspects of total war in which even this elemental human solidarity seems to disappear. Just as attempts have been made to destroy some people simply because they were of one particular race, so today there are those who think anything is permitted against those who have the "wrong ideas". Such people are treated as if they were not entirely human, as if they were no longer fellow men to whom the principle "do unto others as you would that they do unto you" applies, for ideological blindness prevents identification with them.

This, in our opinion, is what constitutes the worst threat to that little seed of international solidarity with political detainees which the ICRC seeks to nurture. Even the lowest common denominator of the human condition is likely to disappear if people are so blinded by ideology that they cannot perceive the human being in a captive enemy. It is therefore essential that all people should wholeheartedly support the ICRC, not only that it may continue its humanitarian action in aid of political detainees but that it may develop it wherever it may be required. There does not exist any stronger expression of international solidarity where political detainees are concerned: in fact, as we have said, it is perhaps *only in the treatment* of political detainees that one can objectively detect any universal solidarity with them. Therefore, the humanitarian action of the ICRC for their benefit must be continued, strengthened and made truly widespread: whatever the designation given them, there are, in more than two-thirds of the countries in the world, men and women, to whom the ICRC alone might possibly obtain access, subject to the

agreement of the very States which detain them. The international community has decided that this possibility should belong to the ICRC, whose very nature, origin and objectives forbid it to disregard suffering which it is in its power to relieve. Whatever the status of individuals, the ICRC has always seen the man beneath the uniform. For the ICRC, treatment of a human being should in no way depend on his legal status. It is indeed in this respect that there is international solidarity with political detainees, whatever acts they may have committed or been charged with: at all times, in all places, needless suffering must be avoided and man's dignity respected.

Jacques MOREILLON

*Director of the Department of Principles
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The International Committee of the Red Cross (II)

by André Durand

5

FROM THE FIRST TO THE SECOND WORLD WAR

In the years of transition and change between 1918 and 1939, the only constant was the contrast with the turmoil of the world wars which preceded and followed that period. In this passage from one world conflict to the next, three stages, not only in the evolution of the world but also in that of the ICRC, may be distinguished.

In the first period, immediately after the end of hostilities, the States sought to organize the world through the League of Nations. But the after-effects of the war remained and led to revolutions and civil wars. Epidemics, malnutrition, famine, movements of populations brought renewed hardships to those countries already ravaged by the war.

The ICRC threw itself into large-scale post-war programmes of protection and assistance from the Atlantic to the Pacific, repatriating prisoners of war, sending relief to the countries ruined by the conflict, helping refugees, organizing campaigns to help the fight against famine.¹ ICRC delegates visited civilian detainees in the countries wracked by revolution and internal strife, and prisoners of war in States at war.

¹ The post-war aid programmes in Soviet Russia were carried out with the co-operation of Dr. Fridtjof Nansen, High Commissioner of the League of Nations.

The National Societies, conscious of the experience they had acquired from their wartime activities, and anxious to employ their resources and prestige in time of peace, formed their own organized federation, the League of Red Cross Societies.

In this manner, there were two distinct international bodies of the Red Cross: one, the ICRC, an independent institution with its own status, its members being recruited by co-optation from among Swiss nationals, and assigned more particularly to the task of helping war victims and developing humanitarian law; the other, the League of Red Cross Societies, the federative body of the Red Cross, Red Crescent and Red Lion and Sun Societies,¹ whose work was directed more to peacetime activities, in particular assistance to victims of natural disasters, the development of National Societies and the improvement of public health.

The role of the Red Cross was at the same time endorsed in article 25 of the League of Nations Covenant, which stated that its members undertook to encourage and promote the establishment and co-operation of the National Red Cross Societies "*having as purposes the improvement of health, the prevention of disease and the mitigation of suffering throughout the world.*"

* * *

During the second period, from about 1925 to 1930, some hopes were raised by the statesmen seeking to prevent wars by submitting disputes to arbitration, or to restrict the effects of hostilities. In 1925, the Treaty of Locarno eliminated a possible cause of conflict by creating favourable conditions for a Franco-German *rapprochement*. That same year, under the aegis of the League of Nations, the Plenipotentiaries of a number of Governments signed the Geneva Protocol for the Prohib-

¹ Three distinctive emblems of the medical services of the armed forces are recognized and protected by the Geneva Conventions. They are the red cross, the red crescent and the red lion and sun on a white ground, which are also the emblems of the National Societies.

The red crescent is the emblem used in a large number of Islamic countries. It is displayed together with the red cross in the emblem of the Alliance of Red Cross and Red Crescent Societies of the U.S.S.R.

The sign of the red lion and sun was used by Iran until July 1980, when it was discarded and the Islamic Republic of Iran notified its decision that it would use the sign of the red crescent as the distinctive emblem of its Army Medical Services and of its National Society.

ition of the Use in War of Asphyxiating, Poisonous or Other Gases and of Bacteriological Methods of Warfare. In 1928, the Briand-Kellogg Pact outlawed war, and a year later the French Minister for Foreign Affairs proposed the creation of a European federation.

Concurrently, the Red Cross consolidated its international structure and endeavoured to take a constructive part in encouraging harmony and understanding among nations.

In 1928, the ICRC and League, agreeing on a definition of the connection that bound them together and which until that time had been only vaguely formulated, drew up the Statutes of the *International Red Cross*, grouping the ICRC, the League and the National Societies into a single association.¹

That same year, the ICRC established at Geneva two bodies that were to conduct research and collect documentation on matters relating to the protection of civilians and to the provision of better treatment for the wounded: one was the *Centre de documentation sur la guerre aérochimique*, (or “Documentation Centre on aerial and chemical warfare”) and the other the *Commission internationale de standardisation du matériel sanitaire* (or “International Commission for the standardization of medical equipment”).²

In 1929, a Diplomatic Conference met in Geneva and, after examining draft proposals prepared by the ICRC, adopted the revised text of the Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field and the (new) text of the Geneva Convention relative to the Treatment of Prisoners of War (Prisoners of War Code). Thus, the protection of the Geneva Conventions was extended to:

— the wounded and sick in armed forces in the field;

¹ The supreme deliberative body of the International Red Cross is the *International Red Cross Conference*. The International Conference is composed of delegations of duly recognized National Red Cross, Red Crescent and Red Lion and Sun Societies, delegations of States parties to the Geneva Conventions and delegations of the ICRC and of the League.

The International Red Cross Conference normally meets every four years. During the interval between sessions of the Conference, the *Standing Commission*, comprising five members elected by the International Conference, two representatives of the ICRC and two representatives of the League, ensures the co-ordination of the International Red Cross bodies and makes the arrangements for the next International Conference.

² The *Centre de documentation*, was dissolved in 1938, and the *Commission internationale de standardisation* ceased to exist after the Second World War.

- the wounded, sick and shipwrecked members of armed forces at sea;¹
- the prisoners of war captured in conflicts between States.

In 1930, the Fourteenth International Red Cross Conference (Brussels) adopted an important resolution in which the role of the Red Cross for the maintenance of peace and the reconciliation of nations was defined.

The ICRC pursued its efforts to protect civilians, but the draft proposals it submitted to international conferences were not considered by the States before the outbreak of the Second World War.

* * *

However, from 1930 on, the hopes placed in a world legal system founded on peaceful co-operation among nations gradually faded as the economic situation deteriorated and political ambitions swelled.

Disturbances broke out in a number of colonies and mandated territories. The ICRC was not yet ready to intervene in those situations, as the territories in question were considered by the European Powers to lie within their sole jurisdiction.²

In 1932, the Disarmament Conference ended in failure. With the rise of totalitarian governments to power, more conflicts broke out: the war between China and Japan, the war in Abyssinia and the Civil War in Spain — heralding the Second World War.

When the ICRC attempted to perform its activities in the countries involved in those conflicts, it met obstacles which it was not always able to overcome. As far back as 1932, it had sent a delegate to Shanghai. Again, in 1937, it wished to resume its aid in China; it appealed for and centralized relief consignments, but was unable to extend its protection activities in the manner it wanted.

In the Abyssinian War, the ICRC could only set up a delegation on the Ethiopian side, but was not allowed to operate in the zones

¹ The Hague Convention of 18 October 1907, for the Adaptation to Maritime Warfare of the Principles of the Geneva Convention of 6 July 1906 (Convention No. X).

² In certain isolated cases where a rebel movement had seized possession of a territory which was no longer under the control of a mandatory Power (for example, during the war in the Moroccan Rif or the Djebel-Druze rebellion) the ICRC had offered its services in 1925 and had tried to send a mission to the areas concerned.

occupied by Italian troops. Its mission was centred on medical assistance to hospitals, on the development of the Ethiopian Red Cross and on making diplomatic representations with a view to protecting against air attacks the ambulances sent by the National Societies of various countries to territory under Ethiopian control.

In the Spanish Civil War, however, which very quickly took on the aspect of an international conflict as foreign powers became involved, the ICRC obtained the consent of both parties to open delegations in the republican and nationalist zones. Its main tasks were to send relief, to visit military and civilian prisoners, to give protection to hostages, to provide assistance to refugees, to forward letters and to trace missing persons.

These conflicts brought out the weakness of the protection available to war victims as compared to the technical advances of weaponry and of methods of combat. The towns destroyed by air bombings, the long lines of refugees on the roads, the executions of hostages bore witness to the necessity to strengthen humanitarian law and devise practical protection measures. The ICRC, pursuing and encouraging studies on the protection of the civilian population against the dangers of aerial and chemical warfare, began to lay the foundations of five draft conventions: revision of the Prisoners of War Code; revision of the Hague Convention No. X (maritime warfare); a convention for the protection of civilian enemy nationals on the territory of a belligerent; a convention for the creation of hospital towns and hospital areas, and a convention relative to medical aircraft. But when war broke out in 1939, the Diplomatic Conference which should have deliberated on these projects had not yet been convened.

6

THE SECOND WORLD WAR

Ruthless political decisions, checked by no negotiated agreement of any kind, foreshadowed, as the weeks went by in 1938, the imminent outbreak of a conflict. The ICRC made its preparations. Although it could not foretell its extent or duration, it set up a Commission on

wartime activities and made plans to organize a Central Prisoners-of-War Agency on an even bigger scale than the one it had created during the First World War.

But the humanitarian Conventions, the foundation of its activity in wartime, did not constitute a complete protective barrier against the excesses of warfare. There were wide gaps in their provisions allowing savage and arbitrary acts, like armies pouring through the breaches of only partly built fortifications.

In 1939, the protection afforded by the Geneva Conventions extended only to the wounded and sick in armed forces on land, the wounded, sick and shipwrecked members of armed forces at sea, and prisoners of war; several belligerents, moreover, were not parties to the 1929 Geneva Convention relative to the treatment of prisoners.

Where that Convention was applied, the ICRC could exercise its protection over prisoners of war: it could visit them, have certain improvements made in the camps, send them relief, record their names, forward letters, arrange for their repatriation, and take steps to prevent acts of reprisal from degenerating into irreversible measures.

On the other hand, where the applicability of the Convention was challenged, the ICRC had no possibility of exercising its activity. This was the case on the East European front, and partly in the Far East.

In other spheres, the ICRC could only count upon the negotiations it conducted with governments and on limited agreements, in its attempts to mitigate the excesses committed against non-combatants and those no longer able to fight who were not protected by any convention. In the countries occupied or annexed by a belligerent, the civilians were defenceless; those combatants who continued to fight in occupied territories or after their government had surrendered to the enemy were, if captured, generally not treated as prisoners of war; ethnic and religious minorities could not escape from a grim fate; the extension of submarine warfare and blockade and counter-blockade measures destroyed a large proportion of the merchant fleets of the world, seriously reducing the effect of the Convention relative to maritime warfare and gravely affecting the supply of goods for the civilian populations; the bombing of densely populated cities and the use of incendiary bombs the effects of which impeded the efforts of rescuers brought all the weight of the war upon the civilians, whose losses in lives during the conflict were equal to those of the combatants.

The ICRC succeeded in obtaining for civilian internees protection comparable to that afforded to prisoners of war. Those people were a specifically defined category: civilians who were nationals of a belligerent State, residing on enemy territory when hostilities commenced and interned solely because of their nationality. For other civilians who were defenceless, for those who could not claim the protection either of the law or of a State, for those whom an implacable system of repression drove relentlessly to their deaths, no other possibility was open to the ICRC save persuasion and patience. Although nothing could be done against a power which was believed for long to be irresistible, the ICRC succeeded sometimes in alleviating the distress of some persecuted groups, or in preventing their annihilation in the places where they were held captive.

Action by groups of partisans was not a new development; examples could be found in past wars. But the States had always refused to grant legal protection to combatants who failed to qualify for the status defined in the Regulations annexed to the Hague Convention No. IV, or who continued their struggle as partisans owing allegiance to a government in exile. In such situations, where there was no room for reciprocal treatment, the ICRC nevertheless obtained that organized groups belonging to liberation movements attached to the command of one of the belligerents should be considered as combatants entitled, if captured, to prisoner-of-war status.

With food shortages and well-nigh famine in most European countries, the ICRC began to put into execution the vastest relief programmes it had ever made. To overcome the difficulties arising from the scarcity of goods, credit problems and lack of transportation, it set up in conjunction with the League of Red Societies a joint purchasing body and employed its own means of distribution, its own lorries and special trains throughout Europe. When it became apparent that bringing supplies by sea had become too dangerous an enterprise, because of the belligerents' policies of blockade and counter-blockade, the ICRC set up a special agency, the "*Foundation for Red Cross Transports*", which gave it the possibility to send goods in vessels sailing under the Swiss flag and flying the Red Cross protective sign.

The escalation of indiscriminate air bombing was on such a large scale that it confirmed the fears about a practice which had been started towards the end of the First World War and had been employed in

other conflicts in the intervening period. The Sixteenth International Red Cross Conference (London, 1938) had called upon governments to conclude agreements to ban or restrict air bombing, and the ICRC had prepared, at the same time as the draft convention for the protection of civilians, a draft agreement on the creation of hospital zones and localities. During the war, it sent a number of appeals to the belligerents to put an end to indiscriminate bombing. But the ICRC's appeals went unheeded, and indeed it was by the tremendously destructive power of the air weapon that the Second World War was brought to a close with the destruction of the cities of Hiroshima and Nagasaki.

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The ICRC had provided its aid and protection whenever the Conventions gave it grounds for action. By the end of the war, its delegates, stationed in eighty-one delegations throughout the world, had made 11,000 visits in the camps. The total amount of relief supplied by the ICRC to prisoners of war and civilian internees was 445,702 tons, the value of which was estimated at 3,400 million Swiss francs. The Central Prisoners-of-War Agency had forwarded 14 million prisoners' letters and cards and 24 million civilian messages, and had compiled 30 million index-cards.

On the other hand, in those fields which were not covered by any convention or agreement, the ICRC's efforts had been often restricted, at times deliberately obstructed. When hostilities were brought to an end, the ICRC therefore applied itself to bringing humanitarian law up to date, especially in matters for which flagrant inadequacy of provisions had been revealed: the protection of civilian internees and of civilians living in occupied territory, the extension of humanitarian law to non-international armed conflicts, the protection of inhabitants against indiscriminate warfare, the limitation of measures of blockade, that is to say, in general, an amplification of the Geneva Conventions. The Second World War had given eloquent proof of the fact that without treaty protection no assistance could be efficaciously provided.

DEVELOPMENT OF THE ICRC'S TASKS AFTER THE WORLD WAR

The ICRC plays a fundamental role in the elaboration of the Geneva Conventions. It falls to the ICRC, in its statutory capacity as the promoter of international humanitarian law, to explore the new prospects open to the law of Geneva, to convene the preparatory conferences of National Society representatives, to consult government experts and, on the basis of those activities, to submit the drafts of a new convention to the International Red Cross Conference, and then to the representatives of States, convened to a Diplomatic Conference, who would not necessarily accept all the proposals of the International Red Cross Conference. Every article of the Geneva Conventions is submitted to the scrutiny of governments. Two aspects are considered: what action is an adversary required to take, and what demands does the article make on the government itself. Between those two requirements, the governments may settle on a compromise. The Red Cross proposes; the States dispose.

During the last years of the war, the ICRC had gathered a large number of data on the positive results and shortcomings of its work to protect war victims. On the basis of an analytical study of those activities, it was able to present, in July 1946, to a preliminary conference of Red Cross Societies, and again, in April 1947, to a conference of government experts, the first drafts for a revision and an extension of the Geneva Conventions. The drafts were submitted to the Seventeenth International Red Cross Conference (Stockholm, 1948) and served as the basis for the deliberations of the Diplomatic Conference, convened in April 1949 by the Swiss Federal Council, which concluded with the adoption by the representatives of the States of the four Geneva Conventions of 12 August 1949.

Historically, the 1949 Conventions stem directly from the conventions derived from the first Geneva Convention of 1864, the essential principles of which they developed by adapting them to the changes that had taken place in the concept and conduct of war, in the extension of the struggle to every category of persons, in the total aspect of war

and in the duration of captivity. The earlier conventions, which were adopted at different times and had different origins, were brought up to date and harmonized by the 1949 Conventions. The provisions were presented in a more balanced form, and all four categories of war victims were dealt with in the same fashion. The new Conventions were:

- The First Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; this was a revision of the First Geneva Convention of 1929;
- The Second Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea, a revision of the Hague Convention No. X of 1907 (maritime warfare);
- The Third Convention relative to the Treatment of Prisoners of War, a revision of the Prisoners of War Code of 1929;
- The Fourth Convention relative to the Protection of Civilian Persons in Time of War, a new convention, derived from the draft which had been established, but not adopted, before the Second World War (Tokyo Draft).

Significant innovations were adopted on a number of points which had not been covered, or had been only partially covered by the law in force in the earlier conventions. Here are some of the most important of these provisions.

Extension of the categories of protected persons. Besides the categories of persons already protected by the terms of the three earlier Conventions, international humanitarian law now protects civilian persons: civilians in the territory of an enemy Power, and the civilian population of enemy-occupied territories. A convention on civilians had been eagerly awaited in the period between 1918 and 1939, but unfortunately war broke out first. It is recognized that the Fourth Geneva Convention of 1949 constituted an important advance in humanitarian law, in one of the most disputed fields of law and one of the most intractable to legislation.

Furthermore, the norms establishing the status of prisoner of war were enlarged to include members of volunteer corps and of organized resistance movements — i.e. partisans — and members of regular armed

forces who profess allegiance to a government or an authority not recognized by the detaining Power.

Prohibitions allowing of no exception. These rules ban every form of inhumane treatment, all unlawful acts, or omission of acts, leading to the death of protected persons or endangering their health; they forbid medical and scientific experiments on the person of such individuals, torture, acts of brutality and reprisals.

Extension of the field of application of the Geneva Conventions and of their principles. In *conflicts between States*, the Conventions apply to all cases of declared war or of any other armed conflict. The Conventions also apply to all cases of occupation of a territory even if the said occupation meets with no armed resistance. In addition, the Conventions refer for the first time to *armed conflicts not of an international character*. In such an event, and without prejudice to any special agreements, only article 3 common to all four Conventions is applicable—and not the whole set of provisions contained in the Conventions. Article 3 prohibits inhumane and arbitrary measures, provides for the respect of the wounded and sick, permits the ICRC to offer its services and invites the parties to a conflict to bring into force, by means of special agreements, all or part of the Conventions.

Reinforcement of scrutiny measures. The role of the Protecting Powers is reaffirmed and extended and the ICRC is granted the same rights; the function which the ICRC had assumed during the Second World War in visiting camps and distributing relief is thus explicitly confirmed.

Sanctions. The 1949 Conventions introduced for the first time the notion of *penal sanctions* in the event of grave breaches. They impose upon every State the obligation to enact legislation to provide effective penal sanctions to repress such acts, to search for the persons having committed the grave breaches, to bring such persons before its own courts or to hand them over to another High Contracting Party concerned. They lay down, too, that at the request of a party to the conflict an enquiry should be instituted into any alleged violation of the Conventions, according to a procedure to be decided upon between the interested parties.

Protection against certain effects of war. Without entering into the sphere of the laws and customs of war, the 1949 Conventions laid down the measures to be taken to ensure additional protection of military and civilian wounded and sick and of certain categories of civilian persons against the effects of war, in particular by the establishment of hospital and safety zones, so as to shelter such persons from land and air bombardments. But it should be noted that the provisions in the Conventions applied only to certain specific situations and did not provide for a general protection of the civilian population. It will be seen later that they were supplemented by the 1977 Additional Protocols, which laid down a number of rules to be applied and precautions to be taken with a view to protecting civilians, civilian property and the natural environment against the effects of hostilities.

Besides the mandates conferred upon the ICRC in the above-mentioned fields (visits to military and civilian prisoners, despatch of relief to prisoners of war, civilian internees and inhabitants of occupied territories, organization of transport by ships, railway trucks and lorries, establishment of hospital zones and localities), it was also given the task of creating the information agencies on prisoners of war and civilians, which have now become permanent institutions grouped under the name of *Central Tracing Agency*. The ICRC moreover received the confirmation of its right of initiative, already expressed in the Statutes of the International Red Cross and in its own Statutes. This right was not a mere stylistic formula; its special significance was that it allowed the ICRC to put itself to a certain extent at the forefront of positive law and to offer its humanitarian intervention when it deems it necessary in a situation of conflict, whether the conflict is covered by the Geneva Conventions or not.

* * *

At the conclusion of their deliberations at the Diplomatic Conference of 1949, the representatives of the States had expressed the hope that, "*in the future, governments may never have to apply the Geneva Conventions for the Protection of War Victims*", and that "*the Powers, great and small, may always reach a friendly settlement of their differences through co-operation and understanding between nations*". The actual fact was that, at the very time that the Conference was expressing this

hope, both great and small Powers were already engaged in various conflicts, some of which—as in Indo-China, Indonesia, the Asian Sub-continent, Palestine—ushered in an era of disturbances and clashes, the consequences of which are still with us today. The period stretching from the Second World War until the present time is one of continuous wars and conflicts, demanding constant ICRC involvement. In those thirty-five years or so, the ICRC has had to intervene in more than fifty conflicts and troubles, many of them showing simultaneously the characteristics of international, internationalized and national conflicts.

Inevitably, numerous problems had to be tackled by the ICRC. In conflicts between States, the applicability of the Geneva Conventions was at times disputed. In armed conflicts not of an international character ICRC action depended on the acquiescence of the parties concerned. Neither internal disturbances, nor situations of internal tension or repression were mentioned in the humanitarian conventions. The definition of combatant, too, was ill adapted to the types of conflict in which every citizen was eventually, however reluctantly, engaged.

Moreover, new elements gradually transformed and enlarged the ICRC's field of action during the post-war years, in respect of the legal concepts as much as with regard to protection and assistance. Nations which had fought as allies during the war in order to achieve a common goal became opponents. The atomic weapon remained the monopoly of a single nation for only a short period. Decolonization and the awakening of the Third World countries to their position in the community have allowed peoples with little economic or financial means to get their opinions heard in international gatherings. Outbreaks of conflicts in impoverished regions or in areas with scarce resources have led to a considerable and often urgent extension of relief operations. Lastly, the rise, in many countries, of opposition movements contending against the government in power has led to the arrest and imprisonment of the regime's opponents, who are considered as political detainees by the ICRC but who do not generally have that status.

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Ever since the Second World War came to an end, not a year has gone by without a conflict breaking out, or hostilities being resumed

or expanded in some area or other of the world. Some of those conflicts still constitute a dangerous threat to world stability and if a list is drawn up of the conflicts that have taken place in the course of the thirty-five years from 1945 to 1980, one can see that belligerent activities have continually occurred and have tended to spread: wars of independence in Indonesia and in Viet Nam; civil war in Greece; war of partition between India and Pakistan; the Palestine conflict; the Bengal conflict; the war in Korea; the war in Algeria; the Suez conflict; troubles in Hungary; disturbances in Goa; insurrection in Cuba; troubles in Ceylon and in Lebanon; the Congo-Katanga affair; the Bizerta conflict; civil war in Laos; conflicts in Yemen; incidents in Irian-Barat; the border conflict between India and China; the conflict in Cyprus; the dispute between Malaysia and Indonesia; the Kashmir conflict; the second Indo-China war; internal strife in Indonesia; the Nigeria-Biafra conflict; the Six Days War in the Middle East; the conflict between Honduras and El Salvador; troubles in Jordan and in Bolivia; conflicts in Cambodia; the Bangladesh war; troubles in Sri Lanka, Northern Ireland, Burundi; the resumption of the Israel-Arab war; troubles in the Philippines; fighting in Lebanon; the coup d'Etat in Chile; a recurrence of the Cyprus conflict; civil war in Angola; the conflict in the Western Sahara; fighting in Timor; civil war in Lebanon; the conflicts in Ogaden, Rhodesia-Zimbabwe and Namibia/South West Africa; troubles in Chad, Zaire, Nicaragua and Uganda-Tanzania; the conflict between China and Viet Nam. In all those circumstances, the ICRC decided to lend its services; in some cases, it merely entered into negotiations with the authorities or sent delegates on relatively short missions, but in many others, it had to undertake lengthy operations, some of which have not yet been terminated: visits to prisoners, civilian internees and political detainees, various activities consisting in repatriating persons, tracing the missing and helping refugees or members of the civilian population.

In 1979 alone, the ICRC intervened more or less actively in situations of conflict, internal disturbances or internal tension in about forty countries. Its delegates, stationed in thirty delegations and twelve sub-delegations, visited over five hundred places of detention, containing 40,000 prisoners and detainees. During that year, too, it undertook several large-scale relief operations in aid of refugees, including the vast medical aid programme for Cambodian, Lao and Vietnamese

refugees in Thailand, in which five hundred medical and paramedical personnel took part under the auspices of the ICRC.

At the present time, therefore, where the ICRC is concerned, there is no distinguishing periods as "time of peace" and "time of war". There is no day when some conflict is not taking place or some act of violence is not being perpetrated somewhere in the world, and not a single hour passes without an ICRC delegate's being involved in a humanitarian action.

* * *

In order to meet those challenges, necessitating a constant mobilization of its forces, the ICRC has strengthened its means of action, not by changing radically its structure, but by a rational adaptation of its methods to the circumstances demanding such changes.

The permanent climate of belligerency described above is one of the factors included in those circumstances, but another is the periodical outbreak of large-scale conflicts, causing extensive and prolonged upheavals in the regions where they occur. At times, the ICRC has been taken unawares by these explosions of violence, either because the means for action were lacking, or because its action was restricted by basic objections of principle, by the absence of any treaty provisions, or by obstacles to the forwarding of relief. The ICRC—and likewise the other members of the International Red Cross—was accordingly driven to reconsider its potential and its methods,¹ for while it may be true that the ICRC cannot be held responsible for the restrictions limiting its activity, it cannot be denied that a body claiming to conduct a protection action is morally obliged, if it does not wish to be content with merely symbolic acts, to obtain somehow or other the means to bring that action to a satisfactory conclusion.

The ICRC, while keeping to the fore its work in aid of prisoners captured during armed conflicts and of civilian populations, even where the applicability of the Geneva Conventions is questioned, endeavours

¹ In 1972, the ICRC and the League, in co-operation with the National Societies, decided to entrust a group of specialists with a critical study of the activities, structures and methods of the national and international bodies which form the Red Cross, and to educe guidelines for them. The conclusions of that study were issued in a set of papers, published under the direction of Mr. Donald D. Tansley: *Re-appraisal of the Role of the Red Cross. An Agenda for Red Cross*. Henry Dunant Institute, Geneva, 1975.

to rationalize its work in aid of political detainees, that is to say, in the wording of a more general definition, in aid of *persons incarcerated in situations of internal disturbances or tensions*.

The ICRC clarified its position on this subject, in the report which it submitted jointly with the League to the Twenty-third International Red Cross Conference (Bucharest, 1977) entitled "The ICRC, the League and the Tansley Report"¹ in which the main considerations set out in the study on the *Re-appraisal of the Role of the Red Cross* are examined:

"Internal disturbances and tensions have a general characteristic: the incarceration of certain categories of persons by the authorities. These persons have in common the fact that their actions, statements or writings are regarded by the authorities as constituting such opposition to the existing political system that they must be dealt with by depriving them of their freedom. The legal or material nature of the sanctions imposed may vary. It may be aimed at punishment, prevention, re-education or reintegration; it may be the result of a sentence imposed under the regular laws in force or by virtue of emergency laws and regulations; it may be the result of an administrative measure of limited or unlimited duration."

The ICRC in this case has to deal with what may be termed an "extra-conventional" situation. Unlike the case of people protected by the Conventions, it does not have a recognized right of access to the places where persons are incarcerated; its activities are subjected to special agreements the applicability of which may be questioned at any time; the political detainees are, as a general rule, the nationals of the State holding them in detention; the measures taken against them are coercive and not just security measures.

It is true that the international human rights conventions and the general principles contained in the humanitarian conventions govern the situation of the detainees to a certain extent. But there are only limited possibilities of exercising control when international humanitarian law conflicts with municipal law, which in its more extreme forms is simply the law of the strongest. By its representations, its appeals for equity, the ICRC seeks to get visits to political detainees accepted

¹ Published under the title: *The ICRC, the League and the Report on the Re-appraisal of the Role of the Red Cross*, Geneva 1979.

by the States as a practice based on custom, pending a legal foundation given by a diplomatic convention.

The ICRC's efforts on this matter have produced results; from the end of the Second World War until 1979, its delegates visited some 300,000 detainees in 72 countries, held under circumstances not covered by the Geneva Conventions. These figures are undoubtedly eloquent, but they certainly do not constitute more than a fraction of the total number of detainees, for it should be borne in mind that those kept in the worst conditions and whose lives are most imperilled are precisely the ones whom no one is allowed to see.

The protection activities which the ICRC imparts to the victims of armed conflicts and troubles involve more and more assistance activities for the civilian population, refugees and displaced persons. By their size and emergency character, such operations call for huge material resources, the establishment of logistical means proportional to the needs, and the engagement of specialized staff in matters of relief planning and distribution. The ICRC at present performs these activities in conjunction with other Red Cross bodies—the League and the National Societies—and, if necessary, with inter-governmental aid agencies. By sending or co-ordinating teams of surgeons and other medical personnel, setting up field hospitals and advanced surgical units and furnishing pharmaceutical supplies, the ICRC ensures that the wounded and sick among the civilian population and refugees will receive medical treatment, at a time when the medical services of the countries affected by an emergency situation are no longer able to cope with the crisis.

This increase in the ICRC's commitments entails a corresponding expansion of its services, material resources and means, in particular, the establishment of permanent delegations in the affected areas and the setting up of a radiocommunications network linking the main radio station at Geneva with its delegations, on special wavelengths allocated to the Red Cross. Similarly, the Central Tracing Agency opens, when necessary, local information offices in the areas where conflicts or mass movements of people are taking place; it adapts its methods and processes collected information by computer.

PRESENT TRENDS AND OUTLOOK

Giving additional means of action to the ICRC, however, would not help it achieve its aim if it were not accompanied by a corresponding development in international humanitarian law. As has been observed in the course of this account of the ICRC's history, while the field of application of the Conventions is gradually enlarged, the might, methods and resources of belligerents also expand, with the result that violence, re-emerging under new forms, is never fully brought under the control of law.

Bringing international humanitarian law more into line with contemporary reality was one of the most urgent and also one of the most complex tasks fulfilled by the ICRC in the course of the last decade. The earlier conventions had been concluded in periods of relative calm, or what had appeared to be so, compared to the large-scale conflicts that had gone by, and they were founded generally on the lessons brought home by past events. That was not the case when the ICRC began the drafts of the new conventions. The conditions calling for a strengthening or a re-affirmation of the law were not based on considerations found in archives or reports; they were indeed part of the events of the day, and every project, influenced by the immediate circumstances, could not be entirely free of political overtones. It was therefore necessary—without making any alterations to the edifice of the Geneva Conventions—to construct conventional adjuncts which would be acceptable to the various cultures and different modes of thinking and, being adapted to all of them, would be adopted by each and every one.

No less than twelve years of research, study and consultations went by before that aim was attained.

The Twentieth International Red Cross Conference (Vienna, 1965) had formulated the principles to which all governments and other authorities responsible for action in armed conflicts had at least to conform (Resolution XXVIII):

- the right of the parties to a conflict to adopt means of injuring the enemy is not unlimited;

- it is prohibited to launch attacks against the civilian populations as such;
- distinction must be made at all times between persons taking part in the hostilities and members of the civilian population to the effect that the latter be spared as much as possible;
- the general principles of the Law of War apply to nuclear and similar weapons.

In this same resolution the Vienna Conference urged the ICRC to pursue its efforts for the development of international humanitarian law, with particular reference to the need for protecting the civilian population against the sufferings caused by indiscriminate warfare.

On the grounds of its own activities, of the support it received from the International Conference on Human Rights (Teheran 1968), of the mandates given by successive International Red Cross Conferences, of the conclusions reached by representatives of National Societies and by conferences of governmental experts, the ICRC was finally able to submit the draft of two Protocols Additional to the Geneva Conventions to the scrutiny of the Diplomatic Conference convened on 20 February 1974 at Geneva by the Swiss Federal Council.

Nearly four years more elapsed before agreement was reached on the definitive wording of the Protocols. Between February 1974 and June 1977 the Diplomatic Conference held four sessions and numerous consultations also took place.

The delay in obtaining agreement among the participants is a measure of the obstacles that had to be surmounted and of the interest which the States showed in the elaboration of the new texts. Not only was the number of participants extraordinarily high but the delegates took an active part in the discussions.¹ The ICRC's role was not confined to the preparation of the draft projects. It participated in the work of the Conference in an expert capacity and was therefore able to state its opinion on fundamental humanitarian questions and to contribute towards seeking compromise solutions when the views of the States' representatives were at variance.

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¹ At each of the sessions, over a hundred States were represented. Furthermore, national liberation movements recognized by the regional inter-governmental organizations concerned were invited to participate in the deliberations of the Conferences, though without having the right to vote.

It was not intended that the Protocols adopted on 8 June 1977 should replace the Geneva Conventions. They strengthened the provisions in those fields where the Conventions had failed to provide fully efficacious measures and introduced new provisions in those other spheres which had remained untouched so far.

The writers who drafted the Protocols considered it was important to put a stop to the unbridled extension of methods of warfare, which appeared to escape gradually all rules and the effects of which restricted substantially the activities traditionally exercised by the Red Cross in the fields of protection and assistance. It had become only too obvious that the concepts of armed conflict and of combatants had to be enlarged and updated; that it was no longer possible to be content to send relief to the victims without passing legislation on the use of weapons; that the immunity of non-combatants and of the civilian population had to be enforced by hard and fast rules; and that relief organizations had to be safeguarded by additional guarantees in order to enable them to perform their activities.

In this context, Protocol I, applicable in international armed conflicts, introduced a number of significant ideas.

The provisions of the Geneva Conventions and of Protocol I are now applicable not only in the circumstances provided for in the 1949 Conventions, but also in "*armed conflicts in which peoples are fighting against colonial domination and alien occupation and against racial regimes in the exercise of their right of self-determination*". The status of combatant—and consequently that of prisoner of war—was granted to all members of organized armed groups and units which are under a command responsible to a Party to the conflict, therefore including members of resistance and liberation movements, subject to conditions much less stringent than previous rules.

Protocol I, repeating certain provisions relative to the conduct of war that had formed part of the law of The Hague, reaffirmed the fundamental principle of that law, which stated that "*The right of the Parties to the conflict to choose methods or means of warfare is not unlimited*". It went on to prohibit weapons, projectiles, material, means and methods of warfare of a nature to cause unnecessary suffering or widespread, long-term and severe damage to the natural environment.

The rules in Protocol I providing general protection of the civilian population against the effects of hostilities are among the greatest

juridical advances obtained by the Diplomatic Conference. The Protocol bans attacks against the civilian population and individual civilians and indiscriminate attacks; imposes in the conduct of military operations all precautionary measures necessary to spare the civilian population and civilian property; defines non-defended localities and zones under special protection; and extends to civil defence organizations the protection of the Geneva Conventions.

Furthermore, Protocol I strengthens certain provisions of the Geneva Conventions in most of the situations which were only partly covered by the Conventions: protection of medical military units and of civilian medical missions, of medical transports, of relief operations in aid of the civilian population, treatment of persons in the power of a party to the conflict, special protection for women and children.

Provisions relative to the activities of the ICRC and of National Red Cross, Red Crescent and Red Lion and Sun Societies were strengthened, while the extension of the field of application of the Conventions brought with it a corresponding reinforcement of the provisions relating to the repression of breaches of humanitarian law.

Two important annexes were attached to Protocol I: Annex I, the regulations concerning the identification of medical personnel, the distinctive signals for the identification of land, sea and air transports, and the creation of special signs for civil defence personnel and for works and installations containing dangerous forces; and Annex II, the model of an international identity card for journalists on dangerous professional missions in time of war.

Protocol II, which is applicable to non-international armed conflicts, was drafted in the form of a simplified version of Protocol I, its provisions being adapted to the special conditions prevailing in an internal conflict. Here, States are considerably less inclined to make any concessions that would encroach upon their authority, since it is precisely that authority which is challenged. All the same, Protocol II is a no less remarkable advance in humanitarian law in a field where the legislators could not draw upon ancient custom, as had been the case for the rules which respect to assistance in international armed conflicts. It thus takes up and amplifies the substance of article 3 common to the four Geneva Conventions of 1949 and reaffirms the principles set forth in that article. Protocol II furthermore lays down the fundamental guarantees afforded to all persons who do not take part or have ceased

to take part in hostilities, it establishes how persons deprived of their liberty should be treated, and it extends the fundamental rules of humanitarian law to the wounded, sick and shipwrecked, to the medical and religious personnel and to the civilian population during non-international armed conflict.

* * *

The fourth principle in Resolution XXVIII of the Vienna International Red Cross Conference, which stated that the general principles of the law of war applied to nuclear and similar weapons, reflected the concern with which the Red Cross world viewed the destructive effects of the use of atomic weapons. It was in the same spirit that the ICRC had submitted to the Nineteenth International Red Cross Conference (New Delhi, 1957) its *Draft Rules for the Limitation of the Dangers incurred by the Civilian Population in Time of War*, which according to its own commentary "would in practice rule out the use of nuclear weapons in the manner which all can remember".

However, neither the resolutions adopted by International Red Cross Conferences to ban atomic weapons, nor the *Draft Rules* were backed by practical measures. Negotiations relative to the regulation and limitation of nuclear weapons have continued to be the exclusive province of the superpowers.

It should nevertheless be stressed that this particular proposition is a general axiom which the world of the Red Cross has not renounced. The applicability of the Geneva Conventions may depend upon the legal relationship between the parties to a conflict or between the combatant groups, but it should not be made subject to the nature of the weapons employed, otherwise its character of universality could be lost. It is not the law that should be adapted to weapons, but rather weapons to the law.

The adoption of the Protocols was a stage in a lengthy evolution by which the sphere covered by the Geneva Conventions and the field of the ICRC's conventional activity in time of armed conflicts were substantially extended, without, however, covering all situations of violence. Besides the situations provided for by humanitarian law, the ICRC can take advantage of its right of initiative and of the general principle expressed in the preamble to the 1899 Hague Convention No. II (the "Martens clause") and repeated in the two 1977 Protocols, which

state that in cases not covered by the law in force, civilians and combatants remain “*under the protection and authority of the principles of humanity and from the dictates of public conscience*”.

Bearing in mind this evolution, we can summarize as follows the ICRC's present field of and grounds for intervention:

- *in an international armed conflict*. The Geneva Conventions and, in certain cases, Protocol I are applicable.
- *in an internationalized non-international armed conflict*. The treaty obligations of the parties vary according to the juridical status attributed to them, but are not less than those specified in article 3 common to the four Conventions.
- *in a non-international armed conflict*. Article 3 common to the four Geneva Conventions and, in certain cases, Protocol II are applicable. The parties have obligations towards persons, but not explicitly towards the ICRC. In such situations, the ICRC's right to offer its services is formally recognized.
- *in the case of internal troubles*. In such circumstances where there are no parties as understood in international humanitarian law the ICRC, basing itself upon its right of initiative and upon the Statutes of the International Red Cross, may offer its services if it judges that the grave nature of the events, or their duration, and the number of victims are such that protection activities are necessary.
- *in the case of internal tension* (without armed confrontation). The ICRC can only base itself on custom which it itself has established over the years, and on its right of initiative.

Each of the ICRC's activities to provide protection to victims of those different types of conflicts and confrontations is accompanied by some form of assistance, for the benefit of many different categories of persons: prisoners of war, civilian internees, refugees, populations in troubled regions affected by famine, families of detainees and the detainees themselves.

* * *

It is essential to develop humanitarian law just as it is necessary to watch over its application, but it is no less important to make it

known. The dissemination of knowledge of humanitarian law is a far-sighted form of protection.

Apart from those who have made a special study of the matter, there are few persons able to find their way about in the 559 articles contained today in the four Geneva Conventions and in the two Additional Protocols, and could say that the many signs of protection held no problems for them. It is not only members of the army general staff and commanding officers who should be conversant with the terms of the Conventions; in a period when hostilities often consist in a series of small desultory operations, every combatant should be familiar with their provisions so as to avoid committing infractions, and every non-combatant, too, so as not to misuse them.

Appointed by its own Statutes to work for the better understanding and dissemination of the Geneva Conventions, and invested with the mandates of the International Red Cross Conferences to that effect, the ICRC has put in the forefront of its standing activities the dissemination of knowledge of humanitarian law. Already before 1939 and to a much greater extent after the Second World War, it prepared legal studies, published the commentary on the Geneva Conventions, and organized courses given by members of its staff at institutes of higher education and faculties of law.

The programme for the dissemination and teaching of the humanitarian Conventions and of the principles and ideals of the Red Cross has expanded substantially. All the Red Cross bodies—the League, National Societies and ICRC—take part in the programme, in keeping with the characteristic trend of the Red Cross to adapt its activities to our times.

This particular evolution has been marked by seminars, courses and publications for primary and secondary school pupils and teachers, university students and teachers, and officers and other ranks for the armed forces. In addition, there have been seminars for people speaking the same language or from a particular geographical region, where National Societies have studied with the ICRC how to instil a better knowledge of humanitarian law and spread its principles among the armed forces, universities, schools and the public at large.

It will be noted that this work is more than just providing information on the application of the humanitarian Conventions in time of war. Today, the Red Cross does not wish to be considered only as a rescue

service in disaster (war, natural disasters, famine, epidemics); it seeks to play an educational role and to become intrinsic to the thinking of communities. To do so, it requires to build upon universally accepted principles and to work out its attitude to a universal problem: the prevention of war.

(To be continued)

André Durand

INTERNATIONAL COMMITTEE OF THE RED CROSS

Death of Lady Limerick

The International Committee learned with great sorrow of the passing away on 25 April, at the age of eighty-three, of Lady Angela, Dowager Countess of Limerick, Vice-President of the British Red Cross Society and former Chairman of the Standing Commission of the International Red Cross from 1965 to 1973.

Lady Limerick was very well known and appreciated by the entire Red Cross movement. Her service in the Red Cross spanned more than 60 years and two world wars, and thanks to her exceptional human qualities, untiring activity and wisdom, she exerted a prominent influence and played a leading role within our movement.

Angela Limerick entered the British Red Cross in 1915 during the First World War. Being officially too young for overseas service she falsified her age and was thus able to go and care for the wounded near the battle front in France.

In subsequent years she went on working for the British Red Cross and successively became the Director and President of its London Branch.

Her work in the Second World War was predominantly with the Red Cross, at the head of the London Branch throughout the Blitz and from 1942 onwards also as Deputy Chairman of the Joint War Organisation of the British Red Cross Society and Order of St. John, in which capacity she visited several battle fronts and 14 different countries. In addition she found time to serve on several Government committees as well as to continue as the Privy Council representative on the General Nursing Council for England and Wales. Immediately after the war she was largely responsible for the rehabilitation work of the Red Cross in post-war Germany.

In the years which followed, as Vice-Chairman of the British Red Cross Society's Executive Committee in charge of its international and overseas operations, she visited most of the Society's overseas branches in East and West Africa, the Far East and the Caribbean, and made

personal visits to other national Red Cross Societies in 26 countries. She was a most active and articulate leader of the British delegation at all international Red Cross conferences and meetings from 1948 onwards, and her voice, in its uncompromising support of the fundamental principles and integrity of the Red Cross movement, was one which was heard with ever-growing respect.

In 1957 she was elected Vice-President of the League of Red Cross Societies; in 1965, at the Twentieth International Red Cross Conference in Vienna, she was appointed Chairman of the Standing Commission of the International Red Cross. She occupied both posts until 1973.

Simultaneously, Lady Angela continued her work at the British Red Cross. She was appointed Vice-Chairman of the Council in 1963 and became Chairman of the Council in 1974. She retired from the chair in 1976 when she was appointed Vice-President of the National Society by the Queen, who is its President.

In addition to her work for the Red Cross, Lady Limerick took an active part in many charity and humanitarian organizations, such as the International Social Service of Great Britain, the Multiple Sclerosis Society, the St. Giles Hospital for Lepers, the Family Planning Association and the Family Welfare Association, etc.

In acknowledgement of her untiring devotion and numerous activities Lady Limerick was honoured with high national British distinctions; over a score of National Red Cross Societies awarded her their decorations or medals of honour and in 1975 she received the highest International Red Cross distinction, the Henry Dunant medal.

Indian Prime Minister visits ICRC

Indian Prime Minister, Mrs. Indira Gandhi, visited on May 6 the headquarters of the International Committee of the Red Cross in Geneva following her address to the Assembly of the World Health Organization.

Mrs. Gandhi was welcomed to the ICRC by its President, Mr. Alexandre Hay and members of the committee and directorate and by leading figures from the League of Red Cross Societies.

After signing the visitors' book, Mrs. Gandhi discussed with ICRC representatives current humanitarian problems.

Declaration of succession of Grenada to the Geneva Conventions

The Government of Grenada, in a letter dated 25 March 1981 addressed to the Swiss Federal Council and received on 13 April 1981, confirmed its participation in the four Geneva Conventions of 12 August 1949 for the protection of the victims of war, pursuant to their ratification by the United Kingdom of Great Britain and Northern Ireland.

Following this declaration, Grenada is a Party to the Geneva Conventions as from 7 February 1974, when it acceded to independence. Grenada is the 148th State which is a Party to the Geneva Conventions.

Correction made to the text of Protocol I

On 8 May 1981, the Swiss Federal Department of Foreign Affairs sent to the States Parties to the Geneva Conventions of 12 August 1949 a notification concerning Protocol I adopted on 10 June 1977:

The Federal Department of Foreign Affairs, not having received from the States concerned, within the period of 90 days, any objection to its proposal, dated 20 January 1981, to make a correction to the authentic French and Spanish texts of Protocol I, where an error had been found, has made the proposed correction in the authentic French and Spanish texts of article 59, paragraph 2, first sentence.

The passage referred to in the authentic text of Protocol I, as corrected, is as follows:

French text

« Les autorités compétentes d'une Partie au conflit pourront déclarer localité non défendue tout lieu habité se trouvant à proximité ou à l'intérieur d'une zone où les forces armées sont en contact et qui est *ouvert* à l'occupation par une partie adverse... »

Spanish text

« Las autoridades competentes de una Parte en conflicto pueden declarar localidad no defendida cualquier lugar habitado que se encuentre en la proximidad o en el interior de una zona donde las fuerzas armadas estén en contacto y que esté *abierto* a la ocupación por una Parte adversa... »

EXTERNAL ACTIVITIES

Africa

Chad

The ICRC delegation in Chad was re-opened in N'Djamena on 1 March 1981. Previously, since December 1980, the delegates working in N'Djamena had to cross over to Kousseri on the Cameroon side of the Chari River every evening, for safety.

As the ICRC is at present the only humanitarian organization performing any kind of activity in Chad, its delegation had to do work it does not normally tackle. Among the major and most urgent tasks that had to be carried out once fighting had ceased, the town of N'Djamena had to be cleaned and the drinking water supply system had to be got working again.

The ICRC delegates next organized food aid for 15,000 needy families, and supplied medicaments and medical material for the hospitals and dispensaries in N'Djamena and in the rest of the country. Assistance was also provided for the leper colony, whose village not far from the capital had been completely wiped out in the course of the fighting. All those activities were undertaken in close co-operation with the Ministry of Social Affairs and the "Chad Red Cross" now being set up.

The Central Tracing Agency is continuing its tasks: search for missing persons and transmission of messages between members of dispersed families. The problem of former prisoners of war, whose homes are in the south of Chad but who are stranded in the north, is still a matter of major concern.

From 19 to 27 March, three ICRC delegates carried out a survey in the south of Chad, where they found there were large concentrations of displaced persons. Because of the combats in 1980, the land had not been sown, and food had become scarce. Although some of the medical personnel had not fled, the dispensaries and smaller provincial hospitals

had run out of medicaments. Emergency medical supplies were distributed by the ICRC delegates in the course of their mission, and a plan was drawn up to supply the health centres in the area. Permission was also obtained to set up a regional distribution centre of pharmaceutical supplies in Moundou.

In April, many civilian and military casualties were reported in renewed outbreaks of fighting in the Abéché region in east Chad. But, for safety reasons, the ICRC could not send any of its delegates to the area and it was not possible to provide the aid required during that emergency period.

Uganda

In March and April, ICRC delegates in Uganda continued to provide protection and assistance for the civilian population in the West Nile Province. The protection tasks consisted in a series of visits to places of detention where, between 23 January and 11 March, they saw some 5,800 prisoners in ten prisons.

Assistance was provided in the form of over 20 tons of relief goods distributed in March; of this amount, about ten tons went to displaced persons in the West Nile Province and in the East Mahdi region, and ten tons to different prisons in Uganda, for the detainees.

From 19 to 25 March, Mr. Jean-Marc Bornet, who was recently appointed delegate general for Africa, and Mr. Didier Helg, delegate, visited Uganda. The purpose of the delegate general's visit was to get into contact with the Ugandan authorities and the National Red Cross leaders and, also, to make a survey of the situation with the ICRC delegation there.

In Kampala, Mr. Bornet had a number of meetings with government ministers and senior officials, including the Vice-President of Uganda, the Prime Minister, the Minister for Foreign Affairs and the Commissioner for Prisons. The delegates also spent two days in the West Nile Province, where they saw ICRC activities in the field.

Ethiopia

From 9 March to 9 April, the ICRC's deputy chief medical officer, Dr. D. Allgöwer, and a delegate from the ICRC delegation in Addis Ababa, Mr. Farine, were on a survey mission in four provinces affected by conflict or by drought. Representatives of the Relief and Rehabilitation Commission, a government body which co-ordinates aid to the camps sheltering displaced persons, accompanied the two ICRC delegates

to the provinces of Balé, Hararge, Eritrea and Tigré. They were able to assess on the spot the living conditions of the persons needing assistance and to revise food and medical aid programmes in relation to developments in the situation. It was found that material relief supplies were still needed, but that the mobile medical team, which was operating in Balé Province with ICRC funds, could be withdrawn, as the local medical infrastructure, under the control of the Relief and Rehabilitation Commission and of the National Red Cross Society, was now in a satisfactory state. ICRC medical aid could therefore be restricted in future to supplying medicaments for hospitals and dispensaries in the area.

As part of its joint aid programme with the Ethiopian Red Cross, the ICRC has been providing the foodstuffs, medicaments, clothing and blankets distributed by Ethiopian aid bodies (the National Red Cross Society and the Commission referred to above).

Relief handed over by the ICRC from the beginning of January 1981 to mid-April amounted to 295 tons to a value of about 300,000 dollars.

Angola

In March and April 1981, the ICRC continued its aid programme for displaced persons in the Planalto region in Angola. It was decided, however, on 2 May, that ICRC teams based in Huambo should no longer travel through the regions of Bailundo and Katchiungo, the main reason being because these areas were considered to be unsafe. This temporary suspension of ICRC aid was decided immediately after about 40 tons of relief (mostly food) had been distributed to some 11,000 persons during preceding weeks.

In March, an airlift was organized between Francistown (Botswana) and Huambo. A dozen flights were made from 9 to 26 March, bringing each time about 20 tons of relief supplies and some vehicles. The cost of the operation was 610,000 Swiss francs.

The delegate-general for Africa, Mr. Jean-Marc Bornet, carried out a mission in Angola from 13 to 25 May, with the purpose of making a re-assessment of ICRC activities in this country and organizing them in such a way as to allow its delegates to perform their tasks safely. Plans are under consideration to extend ICRC action to displaced persons in areas which assistance has not yet reached.

Mozambique

The authorities in Mozambique had requested the ICRC, in its capacity as a neutral intermediary, to take part in an operation for the repatriation of the body of a South African soldier killed in Mozambique.

The repatriation took place under ICRC auspices on 30 March when the mortal remains were flown from Mozambique's capital, Maputo, to South Africa. This was the first time an operation of this kind had been carried out between the two countries with ICRC help.

Lesotho

ICRC contacts with the Government and National Red Cross Society of Lesotho were resumed when the ICRC delegate stationed in Maputo (Mozambique) went to Maseru from 3 to 8 May 1981. Among the government ministers and officials with whom he conferred were the Minister of Justice and Prisons, the official for international organizations at the Ministry for Foreign Affairs and the Permanent Secretary of the Prime Minister's office. The ICRC delegate also met National Red Cross leaders.

The authorization to visit places of detention in Lesotho was granted in principle to the ICRC. The question of organizing a round table meeting on international humanitarian law was put forward and was favourably greeted by the authorities and the National Red Cross Society.

South Africa

The head of the ICRC delegation in South Africa, accompanied by a relief delegate, went on a brief mission to the Transkei. On 16 and 20 May, they met the Prime Minister. They also had talks with the military authorities and the local Red Cross.

Several points relating to ICRC activities, the principles of the Red Cross and international humanitarian law were discussed.

Latin America

Argentina

In March and April, the ICRC delegation in Argentina visited seven places of detention holding persons detained for security reasons. The visits were fully and comprehensively carried out in accordance with standard ICRC procedures.

Nicaragua

In March and April, the ICRC delegates in Nicaragua continued their visits to places of detention and the provision of aid to detainees and their families.

In the course of those two months, eight visits were made to six places of detention in Managua and other parts of the country.

In the first three months of 1981, the ICRC delegation distributed food and medicaments to a value of over 100,000 dollars.

Fifteen detainees, who were old or sick, and for whom the ICRC had asked the authorities to show clemency, were released in March.

El Salvador

The ICRC continued its protection and assistance tasks in El Salvador, despite the tension that prevailed in many parts of the country, arising from the armed clashes. The troubled situation restricted the movements of the ICRC and National Red Cross Society, who were unable to bring any aid to certain areas for about seven weeks in the first quarter of 1981.

The ICRC and the National Society are carrying out a relief action in the north and centre from San Salvador, and in the east from San Miguel. Relief supplies transported in convoys are distributed by the National Society under the supervision, in most cases, of the ICRC relief delegate.

In mid-April, it became possible to send Red Cross relief convoys once again to the department of Morazan. By the end of April, only the Chalatenango region in the north could not be reached. In the district of San Miguel, in the south-east, ICRC and National Society convoys carried relief goods which were distributed in the last week of April to 17,500 displaced persons sheltering in five villages.

In the first three months of 1981, despite difficult working conditions, over 17 tons of relief goods were distributed in the central and northern areas of El Salvador, and more than 240 tons in the east (WFP gifts and ICRC purchases). In addition, 2,000 blankets were supplied.

Medical assistance is provided in the centre of El Salvador by a mobile unit of the Salvadorian Red Cross, and in the east by an ICRC mobile medical unit.

Mr. Ph. Dind, head of the ICRC Relief Division went on a mission to El Salvador from 24 April to 3 May. He met the Ministers of Interior and Planning, the President of the Red Cross of El Salvador, and representatives of WFP and other aid bodies.

The talks with government representatives were centred mainly on the co-ordination of assistance, and on the development of the general situation.

In the field of protection, visits to places of detention in San Salvador and other towns continued. In March and April, ICRC delegates visited 102 places of detention.

Dissemination campaign

Since November 1980, the ICRC has been conducting with the Salvadorian Red Cross an intensive dissemination campaign. In the permanent state of violence which reigns in El Salvador, it is important to get the humanitarian message across to the people: both to persuade those fighting each other to respect the civilian population and all those who do not take part in the combats, and to ensure respect for the Red Cross emblem, and for the personnel working under the sign of the red cross.

There are two main aspects to this information campaign. First, it has been directed to the general public, by means of radio, television, posters and articles in the press. Secondly, lectures on the Principles of the Red Cross and international humanitarian law have been organized for members of the armed forces and of the police.

It was for that purpose that Mr. R. Gaillard-Moret, head of the Documentation and Dissemination Division of the ICRC, undertook, from 6 April, a mission among the armed forces which will last for about two months.

* * *

The Salvadorian Red Cross Blood Collection Centre was officially opened in San Salvador on 8 May, World Red Cross Day. This was the crowning event of a joint project of the ICRC and National Red Cross Society. The ICRC supplied the laboratory equipment and has undertaken to pay all working expenses of the Centre for one year.

* * *

Early in June, the ICRC learnt with shock of the murder of one of its Salvadorian employees, Mr. Carlos Mandredi Hernandez, a storekeeper at the ICRC warehouse at San Miguel. The full circumstances surrounding the murder have not yet been determined.

With the tragic death of Mr. Hernandez, still another name has been added to the long list of victims in El Salvador. Deeply affected by this crime, the ICRC made an earnest appeal for the absolute respect of the

civilian population, of the Red Cross personnel and its humanitarian mission. The ICRC conveyed its deep sympathy to Mr. Hernandez' family.

Bolivia

The ICRC regional delegate for the Andean countries carried out a mission in Bolivia from 17 February to 20 March. He went to eleven places of detention, four of them for the first time.

Colombia

Mr. Kobel, ICRC regional delegate for the Andean countries, arrived in Colombia on 21 April, and he visited first the Colombian Red Cross. He gave several lectures on the dissemination of international humanitarian law to the National Society senior officials.

He also had talks with the Minister for Defence, who granted the ICRC authorization to visit persons detained by the military authorities. Visits to places of detention under the authority of the army began in May. Authorization was also granted by the Minister of Justice, allowing the ICRC to visit prisons under his Ministry's authority.

Haiti

On 27 April Mr. Kobel arrived in Haiti. He was received in audience by the President of the Republic, Mr. Jean-Claude Duvalier, who granted the ICRC the authorization to visit places of detention in Haiti.

From 29 April to 6 May, the regional delegate accordingly visited the national penitentiary at Port-au-Prince, where he saw 683 detainees, 52 of whom had been imprisoned for political reasons. He also went to two other places of detention holding 27 penal law prisoners.

The ICRC also met the Ministers of Foreign Affairs, Justice, National Defence and Education, with whom subjects of common interest concerning ICRC activities were reviewed.

Asia

Kampuchea

In Kampuchea, from 16 to 26 March, ICRC delegates, including the head of delegation and the medical co-ordinator, carried out in the provinces around Tonlé Sap a survey of the health and medical situation

of the population. The team went to the provinces of Kompong Chhannng, Pursat, Battambang, Kompong Thom and Kompong Cham. Everywhere it went, it visited village and district dispensaries and hospitals. Although the general situation seems distinctly better than in previous months, it nevertheless remains hazardous, especially for the children. It appeared necessary for the ICRC to continue supplying hospitals with medicines and basic medical equipment during 1981.

The gradual withdrawal of the ICRC medical teams began. Until the end of March, there had been four such teams. In mid-April, the teams supplied by the Soviet and Hungarian National Societies left Kampuchea; the Swedish and Polish medical teams will stay on until the end of June.

On 2 June, a small boy left Phnom Penh aboard an ICRC aircraft to rejoin his parents in France. This was the culmination of six years of negotiation by the Central Tracing Agency of the ICRC, the parents having approached the Agency in April 1975 to trace their child.

Thailand

The phasing out of the ICRC medical organization along the Khmero-Thai frontier, initiated at the beginning of the year, continued in March and April, taking into account the known needs and the possibility of Voluntary Agencies' working in this region. At the end of April, there were only two ICRC medical teams in the vicinity of Aranyaprathet. In addition, the ICRC retained responsibility for the surgical team of the Scandinavian Red Cross Societies, working in the HCR camp of Khao-I-Dang.

During the first quarter of 1981, ICRC medical and surgical assistance on the frontier was considerable: between 1 January and 11 March, over 12,000 consultations were given in hospitals and dispensaries of the refugee camps; the value of the medical supplies to the various teams amounted to nearly 400,000 Swiss francs; nearly 1,800 patients were admitted to hospital, a high proportion suffering from war wounds inflicted by mines or bullets.

In addition, the ICRC delegates carried on with their relief activities for some 2,800 Vietnamese refugees who, having crossed Kampuchea, are now assembled in the "NW9" camp.

Indonesia

From 22 February to 23 April, five ICRC delegates, including a doctor and an interpreter, visited 247 detained persons convicted for

having been involved in the attempted coup d'état of 1965; they are held in 26 civilian prisons on the islands of Sumatra, Java, Bali, Sulawesi (Celebes), the Moluccas and Kalimantan (Borneo).

With the agreement of the authorities, relief supplies (soap, blankets, mosquito nets, books and spectacles) were purchased by the delegates in each of the 26 places visited and handed over by them personally to the beneficiaries. In all, 27,000 Swiss francs were used for these purchases, representing an average of over 70 Swiss francs per detainee.

These detainees are now all subject to the Ministry of Justice and in mid-May the delegates submitted their comments on the visits, together with their conclusions and recommendations, to the authorities concerned in Djakarta.

The ICRC first began visiting this category of detainees in 1970; it visited them again in 1974/75, then in 1977/78 and again in 1979.

Timor

The joint aid programme of the ICRC and the Indonesian Red Cross on behalf of the destitute in East Timor came to an end on 15 April. However, until the end of 1981, the ICRC will continue to supervise the use of stocks of emergency supplies still available: approximately 500 tons, or 30 tons per village assisted. In addition, it will supply the Indonesian Red Cross with medicines and some financial support to ensure the continuation of medical programmes in some villages. Plans are also being made to set up an agency bureau on Timor, within the Indonesian Red Cross, for the purpose of tracing missing persons and reuniting families separated between Timor and Portugal. Furthermore, the ICRC hopes to develop its protection activities in places of detention in East Timor.

From the beginning of the programme, in October 1979, up to mid-April 1981, 14 villages with a total of over 80,000 persons, have benefited from the joint aid of the ICRC and the Indonesian Red Cross. Three of these villages received only medical aid.

Food relief—6,420 tons of provisions bought locally or from abroad—was distributed by the Red Cross in the assisted villages. In the medical field, mobile teams treated on average 500 patients per day for various illnesses (malnutrition, skin diseases, respiratory infections, malaria). Special treatment was used to combat serious malnutrition, tuberculosis and filariasis.

In order to facilitate a return to normal living conditions, a special programme was undertaken to recreate and restock poultry farms and fish breeding grounds. In 23 localities (including villages not benefiting

from the joint aid programmes) 4,400 chickens and 800 ducks were distributed and approximately 12,000 fish were released in the reserves of 13 other centres.

The personnel made available for this programme totalled 286 people: from the ICRC, three doctors and four delegates and, from the Indonesian Red Cross, 12 employees, 13 doctors, 35 nurses and over 200 volunteers.

Six people (two adults and four children) left Timor on 14 April to rejoin close relatives in Portugal. A delegate from the Central Tracing Agency of the ICRC accompanied them from Zurich to Lisbon.

Philippines

At the end of March, the ICRC regional delegate for south-east Asia, Mr. J. F. Olivier, accompanied by the Relief Director of the Philippine Red Cross, carried out a survey on the island of Pata to the south-west of Mindanao, where part of the population is displaced on account of the disturbances.

This mission made it possible to establish that the allocation of food relief, which the ICRC planned to send to the National Society for 1981, should be enough to provide sufficient assistance to the inhabitants of the island. The ICRC contributes to the relief programme of the Philippine Red Cross for approximately 40,000 displaced persons.

Throughout 1980, the ICRC delegates conducted several series of visits to places of detention in the Philippines. They made a total of 32 visits in Philippine places of detention.

Pakistan

On 23 April, the ICRC launched an international appeal for 4.8 million Swiss francs to finance its medical assistance programmes for Afghan refugees in ten camps in Kurram and North Waziristan in north-west Pakistan.

This sum will be used primarily to cover the costs of running an ICRC hospital which will be inaugurated in June at Peshawar and where a dozen doctors and nurses provided by Red Cross National Societies will work with Pakistani personnel.

The hospital will treat patients from refugee camps and will also serve as a base for the mobile medical teams of the ICRC working in the dispensaries of the two regions mentioned. These mobile medical teams are composed of Pakistani and Afghan personnel under the responsibility of an ICRC doctor.

Middle East

Lebanon

In Lebanon, the situation began to get worse in March and deteriorated still further at the beginning of April. Violent fighting in Beirut and other parts of the country necessitated emergency action by the ICRC and the Lebanese Red Cross.

One of the first steps was to organize relief convoys to the besieged town of Zahle, in the Bekaa plain, to bring supplies for hospitals and dispensaries and to evacuate the wounded.

By 23 April, the thirteen Red Cross convoys that had been sent into Zahlé, had brought in altogether 500 kg of medicaments for the local hospitals and dispensaries and had carried to safety on their way back over 200 persons, including 50 wounded and 50 children who had been separated from their parents.

In Beirut, too, the ICRC took several wounded people to hospitals. About 6,000 families who had fled Beirut towards Jounieh received food and blankets provided by the ICRC. The fighting had intensified so much that the ICRC delegation had to re-open its offices in Jounieh.

In south Lebanon, an ICRC doctor and nurse made a survey of the medical supplies that would be required as a result of the combats in the area. In April, food, blankets and medicaments were distributed in Tyre, Sidon, Marjayoun and other places.

On 3 April, three voluntary workers from the Lebanese Red Cross lost their lives when their vehicle was caught in cross-fire and crashed after leaving the road. Deeply affected by this tragic event, and also by the large number of victims caused by recent combats, the ICRC President, who was at the time in Amman chairing a seminar on the dissemination of international humanitarian law, appealed to the parties involved in the fighting to respect the fundamental principles of humanity and to spare people's lives.

In order to be operative on the entire territory of Lebanon and with the many parties to the conflict, the ICRC dispatched extra personnel and medical relief from Geneva. On 2 May, a special aircraft chartered by the ICRC was given permission to land at Beirut, at a period when the airport had been closed to ordinary traffic. The aircraft carried Mr. Jean Hoefliger, ICRC delegate-general for the Middle East, four other delegates and nine tons of emergency medical supplies. It flew back to Geneva that same day, taking a wounded person who was later transported to Paris.

On 13 April, the ICRC launched an appeal for six million Swiss francs to the international community to obtain the necessary financial means for the continuation of its work in Lebanon. This amount is needed to cover the ICRC's operations over the next five months (hospitals and dispensaries throughout Lebanon to be supplied, an emergency surgical unit to be set up, the Central Tracing Agency's tasks to be reactivated) and to raise the number of its personnel to 20 delegates and 35 local staff.

Israel and occupied territories

From February to April, the ICRC delegates in Israel and the occupied territories carried out over 650 visits to detainees under interrogation in the Gaza and Jerusalem sectors. During the same period, they continued their customary visits to places of detention holding detainees arrested on an administrative order: eight prisons were visited in March and five in April.

In addition, during March and April, the ICRC delegation at Tel-Aviv, arranged for the transfer of several persons, with the co-operation of the delegations at Amman, Beirut and Damascus. On 5 March, a Syrian national, who had illegally entered Israel on 4 February, was returned to Syria via Kuneitra; on 23 and 30 April, two Lebanese were taken back to Lebanon through the frontier post at Roshanikra (Ras Nakura); and three separate repatriation operations were organized at Allenby Bridge, on 13, 16 and 30 April, for five persons to be sent back to Jordan.

Jordan

In March and April, ICRC delegates in Jordan made two visits to a place of detention under the authority of the General Intelligence Department. They saw there 28 detainees under interrogation in March, and 19 in April, and spoke with them, as customary, without witness. In April, these prisoners were authorized for the first time to write to their families.

Arab Republic of Egypt

The ICRC delegate in Cairo was in Sinai from 8 to 12 March and made a survey of the conditions under which the civilians were living in the centre and north of Sinai. Among the areas visited were Meghara, Rissan, Jifafah, Nakhel and Bir Hasana.

Iraq-Iran conflict**ICRC President's mission in Iraq**

ICRC President Alexandre Hay, accompanied by the delegate-general for the Middle East, Mr. Jean Hoefliger, was in Iraq from 29 March to 4 April.

While in Baghdad, Mr. Hay conferred with Mr. Saadoun Hammadi, Minister for Foreign Affairs, and Mr. Tarek Aziz, Deputy Prime Minister. During these talks, which concerned mainly the practical procedures for the application of the Geneva Conventions, Mr. Hay's interlocutors re-affirmed their Government's determination to observe strictly its treaty obligations.

Iraq

The ICRC's protection activities in Iraq were pursued in March and April and more visits by ICRC delegates to Iranian prisoners of war were carried out. President Hay accompanied ICRC delegates when they visited Mosul camp on 30 March and 1 April.

Iran

ICRC delegates in Iran continued, in March and April, to provide protection and assistance to the victims of the conflict between Iraq and Iran.

Visits to Iraqi prisoners of war continued to be made by the delegates, who visited four camps they had already seen previously. In mid-March, they visited a fifth camp, which had been recently opened.

In addition, the ICRC was given permission by the Minister of the Interior to visit Iranian detainees in the hands of the Islamic Revolutionary Committees. The authorization was granted for one year, as from 21 April 1981. As this latest development in the ICRC's protection activities called for additional personnel to work in the delegation, two more delegates arrived in Teheran at the end of April.

The first visits began at the end of April to detainees in several "committees" in the capital as well as in the provinces. The ICRC delegates also visited the prison at Tabriz, where they saw altogether 850 political detainees, and nine other places of detention.

Europe

Turkey

The new ICRC delegate-general for Europe and North America, Mr. Frank Schmidt, made a short visit to Turkey from 23 to 25 March. In Ankara, he met the directors of the Turkish Red Crescent and representatives from the Ministry of Foreign Affairs. Discussions were mainly concerned with the activities and financing of the ICRC, and with the possible ratification by Turkey of the 1977 Protocols.

Poland

From 7 to 9 April, Mr. Frank Schmidt, accompanied by Miss F. Perret, from the ICRC Documentation and Dissemination Division, was in Warsaw.

Mr. Schmidt visited the National Red Cross Society and its installations and took part in working meetings at its headquarters. He was introduced to the Polish authorities and had a discussion with the Deputy Foreign Minister.

Regional Conference in Jakarta

The Second Asia and Pacific Red Cross and Red Crescent Regional Conference, organized by the Indonesian Red Cross and the League, was held from 4 to 11 February in Jakarta. Seventy-six delegates from 27 countries took part in the conference, which was also attended by an ICRC delegation headed by the Vice-President Mr R. Pestalozzi. A score of observers from European and American National Societies and Jakarta-based representatives of specialized United Nations agencies and non-governmental organizations had also been invited.

The Conference focused on several topics relating to the activities and development of National Societies in that part of the world. It was preceded by two seminars: the first dealt with protection, on which the ICRC delegation delivered lectures. Participants adopted a resolution on the dissemination of knowledge of international humanitarian law and another on the ratification of the Protocols additional to the Geneva Conventions. The second seminar, organized by the League and dealing with assistance, discussed a number of aspects of development aid to National Societies and the role played by the Red Cross in assisting refugees.

Besides providing an opportunity for an in-depth study of Red Cross principles and action, the Jakarta Regional Conference enabled participants to establish useful contacts and to get better acquainted with other National Societies which, although belonging to the same universal movement, have their own individual characters.

CENTENARY OF THE HUNGARIAN RED CROSS

On 18 May the Hungarian Red Cross celebrated the centenary of its foundation and International Review has the pleasure of publishing a summary of its history, written by the President of its Executive Committee, Mr. János Hantos.

International Review extends its congratulations and best wishes to the Hungarian Red Cross and its most sincere thanks to Mr. János Hantos for his contribution to this issue.

FOUNDATION

The accession, on 21 July 1866, of the Austro-Hungarian monarchy to the Geneva Convention of 1864 was an incentive to set up voluntary relief committees on Hungarian territory. It was therefore suggested that a relief organization should be set up, to which Hungary agreed, while insisting that the future organization should be autonomous and purely Hungarian.

The principle of unity, requiring only one Red Cross Society to operate in any one State, delayed the creation of the Hungarian Red Cross, for all the parties involved first had to reach an agreement on the form the future Society would take.

On 12 April 1878, Francis Joseph I, Emperor of Austria and King of Hungary, convened a conference in Vienna, which laid down the organizational and operational principles of a voluntary relief organization on Hungarian territory. One of these principles stipulates that "both parts of the Austro-Hungarian monarchy shall establish independently, according to their various laws and customs, an autonomous relief association and organize it on their own territory". On the basis of this principle the Hungarian Government, on 20 August 1879, authorized its Prime Minister to request the King's permission to create this association and on 5 December 1880, Francis Joseph I entrusted Count Gyula Károlyi, member of the High Chamber, with the duty of setting up the Hungarian Red Cross.

The creation of this relief organization came at exactly the right time, for at the end of July 1878 the Austro-Hungarian army, composed mainly of Hungarian soldiers, had occupied Bosnia-Herzegovina, which had until then been under Turkish rule.

Ladies' Associations were already working in Budapest. They all gathered together in August 1878 and made a national collection to provide relief for combatants and wounded. On 27 March 1878 the Hungarian National Women's Relief Association was founded. The Minister for Foreign Affairs authorized it provisionally to use the Red Cross emblem and it may therefore be considered as the precursor of the Hungarian Red Cross.

FIRST STEPS

When the King had given his permission, a general assembly proclaimed, on 16 May 1881, the creation of the Red Cross Association of the Countries of the Holy Hungarian Crown. That same day the Hungarian National Women's Relief Association decided to join the Red Cross Association, which it duly did on 18 May 1881 at a joint assembly of both organizations. The Red Cross representatives of Croatia-Slovenia announced their adherence to the Red Cross Association of the Countries of the Holy Hungarian Crown, while reserving their right to autonomy provided for under the statutes. The International Committee of the Red Cross recognized the Hungarian Red Cross Association on 20 January 1882.

The Association rapidly set to work. By organizing national collections and loteries it established a fund to finance its hospital building programme. It also organized teams for transporting the wounded and mobile supply depots for ambulances. A nurse training programme was launched and on 19 October 1884 the first hospital was opened. To begin with the work of the Hungarian Red Cross mainly consisted in providing relief to victims of disasters and taking part in the anti-epidemic campaigns in different areas of the country. The Hungarian Association thus gradually developed and its organization became increasingly efficient. Before the end of the century committees had been set up in all the comitats.

The Third International Red Cross Conference, which was held in Geneva in 1884, gave the Hungarian Red Cross an opportunity of participating for the first time in the work of the supreme body of the international movement. In 1885, during the Serbo-Bulgarian war, it undertook its first international relief operation. It was on Hungary's

proposal at the Eighth International Red Cross Conference in London in 1907 that the Florence Nightingale medal was created as a special distinction for nurses.

DIFFICULT TIMES

The Hungarian Red Cross was severely tried during the First World War. On the first day of mobilization it placed 9 hospitals, 507 auxiliary hospitals, 517 dressing posts and 44 field hospitals—a total of 50,582 beds—at the high command's disposal. Special six-week courses were organized to speed up the training of voluntary nurses. To supplement military medical services the Red Cross sent mobile teams of surgeons on the battlefields. An information bureau on combatants wounded or killed in action and an assistance and information bureau for prisoners of war were set up. Collections were organized throughout the country to raise the necessary funds for all those activities.

The losses suffered during the war gave rise to extreme tension in the country, which led to the revolutions of 1918-1919. The Government of independent Hungary, separated from the monarchy, appointed the wife the President of the Republic, Mrs Károlyi, President of the Red Cross. The Government of the new Hungarian Republic appreciated the role of the Red Cross and counted upon its help. The People's Commissariat for Social Welfare and Public Health stipulated in an order of 1919 that "all, and especially the political and military authorities, have the obligation to afford efficient help to the Red Cross, in conformity with its neutrality, and to support it in its functions".

Soon after, however, was a lull in the activity of the organization, as is shown by Red Cross President Count Emil Széchenyi's address to the first general assembly following the war, in 1924. There had nevertheless been two major achievements, i.e. the creation of the Junior Red Cross on 9 February 1921, on the initiative and with the support of the League, and the resumption of the nurse training programme in 1923. Throughout those post-war years the country struggled against grave social and economic problems: unemployment and poverty had reached alarming proportions and the Red Cross launched several operations and campaigns to help the poor.

In the 1930's Red Cross activities developed considerably. On a proposal by the Fourteenth International Red Cross Conference (Brussels, 1930) a service to provide first aid on the roads was created. An international conference of first aid and road accident prevention experts was organized in Budapest from 20 to 24 May 1935, with co-operation from the League and other international organizations.

During the latter half of the 1930's the Hungarian Red Cross began instructing the civilian population in civil defence and preparing itself for its various duties in the event of war.

The statutes were amended in 1940 and stipulated that in case of war the Red Cross would function as an auxiliary to the army medical services. When Hungary entered the war the National Society provided the armed forces command with military hospitals, hospital trains and specialized staff.

From the beginning of the Second World War, from 10 September 1939 already, the Hungarian Red Cross took on the major task of assisting Polish refugees flowing into Hungary. With the help of the International Committee of the Red Cross, it ran 82 military and civilian refugee camps and contributed to their maintenance. According to the reports published in the *Bulletin international de la Croix-Rouge*¹ 30,681 Polish soldiers and 11,000 civilian Polish refugees were assisted by the Hungarian Red Cross up to March 1940. Assistance to Polish refugees naturally continued after that and the Society also offered its services to refugees from other countries. From the spring of 1940, several hundred French people and, after 1942, many Soviet prisoners of war who had fled German internment camps found refuge in camps set up by the Hungarian Red Cross. Its relief bureau provided help for Belgian and then Italian prisoners of war and it sent food parcels to Belgian and Dutch children. A sad episode in Hungarian history began on 15 October 1944, when the German troops occupied the country, making the humanitarian action of the Hungarian Red Cross almost impossible for some time.

NEW POSSIBILITIES — NEW TASKS

The Soviet troops entered Hungary in the autumn of 1944 and freed the country from German occupation. It had suffered considerably during the war and recovered slowly. The Hungarian Provisional Government appointed a director at the head of the Hungarian Red Cross and gave him the duty of reorganizing the National Society even before the country was fully liberated.

One of the Society's first tasks was to repatriate Hungarians who had been deported or had fled the country. It opened offices in Austria and Germany for this purpose and, with the help of the ICRC, 330,000 Hun-

¹ Published by the ICRC as a supplement to *Revue internationale de la Croix-Rouge*.

garians, former prisoners of war, deportees or civilian refugees, were thus repatriated from 1944 to 1947. In Hungary itself, the National Society was caring for repatriated prisoners of war, running a tracing service for missing persons, protecting children who had lost contact with their families and contributing to solving the country's social problems.

In the course of the next few years, as external conditions improved, the tasks of the Red Cross changed. A national conference of the Hungarian Red Cross, held on 14 and 15 April 1951, laid down the following main duties: hygiene education, recruitment of blood donors, teaching and organization of first aid.

On 3 August 1954, the Presidential Council of the Hungarian People's Republic ratified the Geneva Conventions of 1949. In 1955, it issued an Order in Council concerning the National Red Cross, in which the Society is described as a democratic mass organization whose "mission, in peace-time, is to contribute towards improving the health of the people and, in war-time, to discharge its duties in protecting victims of war, in application of the Geneva Conventions".

During the events of 1956, which caused chaos throughout the country, the Hungarian Red Cross worked under extremely difficult conditions: law and order were no longer respected, supplies became impossible and the population suffered from hunger and cold. The first plane-load of relief arrived from Poland, then the ICRC organized an airlift between Vienna and Budapest. An ICRC delegation remained in Hungary until the end of September 1957 and worked very hard distributing food, fuel, medical equipment, pharmaceutical products and other forms of relief.

The improvement of the situation within the country enabled a temporary national Bureau to assume the direction of the Hungarian Red Cross, headed by Academician Paul Gegesi-Kiss.

THE HUNGARIAN RED CROSS, A MASS ORGANIZATION

Since then, the Hungarian Red Cross has had an increasingly active share in solving the country's health and social problems and it has gradually developed into a mass organization. The first major step in this direction was its first congress, convened in 1959. This congress was followed by five others, which all expressed their appreciation of the way in which the National Society had developed and which laid down its most important tasks and duties.

The Hungarian Red Cross now numbers over one million members, gathered in 13,000 basic sections, whose spheres of activity are the work-

place, home or school. It is thanks to these voluntary members and their dedication that the ideas and programmes of the Red Cross can be carried out. Their work is extremely varied: they try and improve the population's knowledge of hygiene, provide social care, home care and care for the elderly, organize blood collections, teach first aid and take turns on duty in first aid posts. They contribute to the protection of the family, children and youth, and the environment; they provide social assistance for the uneducated parts of the population, for the disabled and elderly persons. They form first aid sections in the civil defence organization and provide nurses and volunteers who are always ready to take part in relief operations in the event of disaster. They are also active in disseminating the principles and ideals of the Red Cross and the elements of international humanitarian law.

The Hungarian Red Cross takes an increasingly active part in international relief operations organized during armed conflicts or in the event of natural disasters, while supporting the development programme of the League.

On the eve of its second century of existence, the gratefulness and the confidence the Hungarian population feels for its National Red Cross stimulate its leaders and members to face future responsibilities and duties with courage and determination.

János Hantos

*President of the Executive
Committee of the Hungarian
Red Cross*

BOOKS AND REVIEWS

CIVIL WAR AND INTERNATIONAL LAW¹

In this book, Dr. Lombardi studies a major problem of the law of war, but one which—as he points out in the preface—has been practically neglected hitherto: the applicability of the rules of public international law in non-international armed conflicts.

In the first chapter, the author considers all aspects of civil war, from the sociological, and then from the strategic angle, before going on to tackle the problems of public international law, among which he emphasizes the lawful and legitimate character of civil war.

In the second chapter, he considers how far the intensity of an internal conflict can determine its nature and the “*jus in bello*” applicable to it.

The third chapter contains a very thorough analysis of what may be understood as the “internal affairs” of a State (“*Innerstaatlichkeit*”); he considers the problem of sovereignty, the traditional and contemporary doctrines on the subject, and how it is to be applied in the case of federal States, confederations of States and States which are not yet independent (the problem of mandates, trusteeship and decolonization).

Throughout this remarkable work, which omits no aspect of the problems discussed, Dr. Lombardi indicates the direction in which the criteria for the applicability of the rules of public international law in non-international armed conflicts must evolve.

Today State sovereignty is no longer as absolute as it used to be: in particular, as a result of the fact that the vast majority of States, by joining the United Nations, have surrendered what was a major attribute of sovereignty—the right to wage war. Recognition of the right of peoples to self-determination is described by the author as a “dynamic corrective” to State sovereignty.

¹ Dr. Aldo Virgilio Lombardi: *Bürgerkrieg und Völkerrecht*, Ed. Duncker & Humblot, Berlin, 1976, 416 pp.

It remains, however, true that, unlike international wars, civil wars are not forbidden, and it would only be possible to forbid them if the international community had the right to investigate the constitutional legitimacy of existing governments and if the criteria of such legitimacy were defined. The 1966 Covenants on Human Rights were a small step in that direction, but we are still far from having attained such a situation. Dr. Lombardi further stresses that it is important, in existing conditions, not to exclude the possibility of armed resistance for peoples which cannot enforce their lawful rights by any other means.

It is clear, however, that the pretext of State sovereignty can no longer be arbitrarily invoked by governments which refuse to recognize the existence of hostilities. It is the intensity of such hostilities that should be the sole criterion for determining the nature of a conflict and the rules of "jus in bello" to be applied. The legal position of insurgents should not depend solely on the will of the government in power.

It has to be recognized, however, that there is no generally accepted arbiter in such situations and that there is no consensus in the international community for the establishment of an independent body which might act as such an arbiter. In this connection, the author rightly notes that the ICRC, to whom it might be thought that role could be assigned, would hesitate to assume such a delicate task, which might provide a pretext for accusations of partiality and thus be prejudicial to its humanitarian action in the field.

The absence of an adequate supervisory system and of an objective and unquestionable standard for defining internal conflicts in no way mitigates the illicit nature of high-handed action on the part of governments, and contemporary public international law no longer accepts an appeal to the principle of State sovereignty as an all-justifying excuse. This is the main lesson to be drawn from Dr. Lombardi's outstanding work.

Y. S.

A. W. ZIEGLER: A LABOUR OF PEACE ¹

A. W. Ziegler's book could serve as an example for the article published by *International Review* in its January-February 1980 issue, "Human rights relating to spiritual assistance as embodied in the Geneva Conventions of 1949".

The book is Dr. Ziegler's account of his ministry as a Roman Catholic priest during the second world war, in the years 1939-1945, in prisoner-of-war and civilian labour camps, and among aliens of all classes who were in Germany through the war, to whom he gave spiritual assistance.

In his description of the encounters he had during those years, Dr. Ziegler demonstrates the value of spiritual assistance for people in the depths of distress and despair. This is the "labour of peace" in which he took part and which he tells with deep conviction as much as with simplicity.

The *International Review of the Red Cross* welcomes articles on subjects relating to international humanitarian law and the Red Cross.

Such articles must, however, comply with the following rule: they must avoid all reference to current political situations or events and sterile controversies on political, religious or racial topics.

Manuscripts may be submitted in French, English, Spanish or German. They should if possible be typewritten and must not exceed 12,000 words, with a minimum of footnotes.

Authors are requested to send their contributions to the editor of the *International Review* (address on page 3 of the Review), without failing to indicate their own address.

¹ A. W. Ziegler: *Ein Werk des Friedens, Erinnerungen an die Militärseelsorge 1939-1945 in einem Gefangenenlager*, Erich Wewel Verlag, München, 1979, 284 pp.

EXTRACT FROM THE STATUTES OF THE INTERNATIONAL COMMITTEE OF THE RED CROSS

ADOPTED 21 JUNE 1973

ART. 1. — *International Committee of the Red Cross*

1. The International Committee of the Red Cross (ICRC), founded in Geneva in 1863 and formally recognized in the Geneva Conventions and by International Conferences of the Red Cross, shall be an independent organization having its own Statutes.

2. It shall be a constituent part of the International Red Cross.¹

ART. 2. — *Legal Status*

As an association governed by Articles 60 and following of the Swiss Civil Code, the ICRC shall have legal personality.

ART. 3. — *Headquarters and Emblem*

The headquarters of the ICRC shall be in Geneva.

Its emblem shall be a red cross on a white ground. Its motto shall be *Inter arma caritas*.

ART. 4. — *Role*

1. The special role of the ICRC shall be:

- (a) to maintain the fundamental principles of the Red Cross as proclaimed by the XXth International Conference of the Red Cross;
- (b) to recognize any newly established or reconstituted National Red Cross Society which fulfils the conditions for recognition in force, and to notify other National Societies of such recognition;
- (c) to undertake the tasks incumbent on it under the Geneva Conventions, to work for the faithful application of these Conventions and to take cognizance of any complaints regarding alleged breaches of the humanitarian Conventions;
- (d) to take action in its capacity as a neutral institution, especially in case of war, civil war or internal strife; to endeavour to ensure at all times that the military and civilian victims of such conflicts and of their direct results receive protection and assistance, and to serve in humanitarian matters, as an intermediary between the parties;
- (e) to ensure the operation of the Central Information Agencies provided for in the Geneva Conventions;
- (f) to contribute, in view of such conflicts, to the preparation and development of medical personnel and medical equipment, in co-operation with the Red Cross organizations, the medical services of the armed forces, and other competent authorities;
- (g) to work for the continual improvement of humanitarian international law and for the better understanding and diffusion of the Geneva Conventions and to prepare for their possible extension;
- (h) to accept the mandates entrusted to it by the International Conferences of the Red Cross.

2. The ICRC may also take any humanitarian initiative which comes within its role as a specifically neutral and independent institution and consider any question requiring examination by such an institution.

ART. 6 (first paragraph). — *Membership of the ICRC*

The ICRC shall co-opt its members from among Swiss citizens. It shall comprise fifteen to twenty-five members.

¹ The International Red Cross comprises the National Red Cross Societies, the International Committee of the Red Cross and the League of Red Cross Societies. The term "National Red Cross Societies" includes the Red Crescent Societies and the Red Lion and Sun Society.

ADDRESSES OF NATIONAL SOCIETIES

- AFGHANISTAN** (Democratic Republic) — Afghan Red Crescent, Puli Artan, *Kabul*.
- PEOPLE'S SOCIALIST REPUBLIC OF ALBANIA** — Albanian Red Cross, 35, Rruga e Barrikadave, *Tirana*.
- ALGERIA** (Democratic and People's Republic) — Algerian Red Crescent Society, 15 bis, Boulevard Mohamed V, *Algiers*.
- ARGENTINA** — Argentine Red Cross, H. Yrigoyen 2068, 1089 *Buenos Aires*.
- AUSTRALIA** — Australian Red Cross, 206, Clarendon Street, *East Melbourne 3002*.
- AUSTRIA** — Austrian Red Cross, 3 Gusshausstrasse, Postfach 39, *Vienna 4*.
- BAHAMAS** — Bahamas Red Cross Society, P.O. Box N 91, *Nassau*.
- BAHRAIN** — Bahrain Red Crescent Society, P.O. Box 882, *Manama*.
- BANGLADESH** — Bangladesh Red Cross Society, 34, Bangabandhu Avenue, *Dacca 2*.
- PEOPLE'S REPUBLIC OF BENIN** — Red Cross of Benin, B.P. 1, *Porto Novo*.
- BELGIUM** — Belgian Red Cross, 98 Chaussée de Vleurgat, 1050 *Brussels*.
- BOLIVIA** — Bolivian Red Cross, Avenida Simón Bolívar, 1515, *La Paz*.
- BOTSWANA** — Botswana Red Cross Society, Independence Avenue, P.O. Box 485, *Gaborone*.
- BRAZIL** — Brazilian Red Cross, Praça Cruz Vermelha 10-12, *Rio de Janeiro*.
- BULGARIA** — Bulgarian Red Cross, 1, Boul. Biruzov, *Sofia 27*.
- BURMA** (Socialist Republic of the Union of) — Burma Red Cross, 42 Strand Road, Red Cross Building, *Rangoon*.
- BURUNDI** — Red Cross Society of Burundi, rue du Marché 3, P.O. Box 324, *Bujumbura*.
- CAMEROON** — Cameroon Red Cross Society, rue Henry-Dunant, P.O.B. 631, *Yaoundé*.
- CANADA** — Canadian Red Cross, 95 Wellesley Street East, *Toronto, Ontario, M4Y 1H6*.
- CENTRAL AFRICAN REPUBLIC** — Central African Red Cross, B.P. 1428, *Bangui*.
- CHILE** — Chilean Red Cross, Avenida Santa María 0150, Correo 21, Casilla 246V., *Santiago*.
- CHINA** (People's Republic) — Red Cross Society of China, 53 Kanmien Hutung, *Peking*.
- COLOMBIA** — Colombian Red Cross, Carrera 7a, 34-65, Apartado nacional 1110, *Bogotá D.E.*
- CONGO, PEOPLE'S REPUBLIC OF THE** — Croix-Rouge Congolaise, place de la Paix, *Brazzaville*.
- COSTA RICA** — Costa Rican Red Cross, Calle 14, Avenida 8, Apartado 1025, *San José*.
- CUBA** — Cuban Red Cross, Calle 23 201 esq. N. Vedado, *Havana*.
- CZECHOSLOVAKIA** — Czechoslovak Red Cross, Thunovska 18, 118 04 *Prague 1*.
- DENMARK** — Danish Red Cross, Dag Hammarskjølds Allé 28, Postboks 2600, 2100 København Ø.
- DOMINICAN REPUBLIC** — Dominican Red Cross, Apartado Postal 1293, *Santo Domingo*.
- ECUADOR** — Ecuadorian Red Cross, Calle de la Cruz Roja y Avenida Colombia, 118, *Quito*.
- EGYPT** (Arab Republic of) — Egyptian Red Crescent Society, 29, El-Galaa Street, *Cairo*.
- EL SALVADOR** — El Salvador Red Cross, 3a Avenida Norte y 3a Calle Poniente, *San Salvador, C.A.*
- ETHIOPIA** — Ethiopian Red Cross, Rass Desta Damtew Avenue, *Addis Ababa*.
- FIJI** — Fiji Red Cross Society, 193 Rodwell Road, P.O. Box 569, *Suva*.
- FINLAND** — Finnish Red Cross, Tehtaankatu 1 A, Box 168, 00141 *Helsinki 14/15*.
- FRANCE** — French Red Cross, 17 rue Quentin Bauchart, F-75384 *Paris CEDEX 08*.
- GAMBIA** — The Gambia Red Cross Society, P.O. Box 472, *Banjul*.
- GERMAN DEMOCRATIC REPUBLIC** — German Red Cross in the German Democratic Republic, Kaizerstrasse 2, DDR 801 *Dresden 1*.
- GERMANY, FEDERAL REPUBLIC OF** — German Red Cross in the Federal Republic of Germany, Friedrich-Ebert-Allee 71, 5300, *Bonn 1*, Postfach (D.B.R.).
- GHANA** — Ghana Red Cross, National Headquarters, Ministries Annex A3, P.O. Box 835, *Accra*.
- GREECE** — Hellenic Red Cross, rue Lycavittou 1, *Athens 135*.
- GUATEMALA** — Guatemalan Red Cross, 3ª Calle 8-40, Zona 1, *Ciudad de Guatemala*.
- GUYANA** — Guyana Red Cross, P.O. Box 351, Eve Leary, *Georgetown*.
- HAITI** — Haiti Red Cross, Place des Nations Unies, B.P. 1337, *Port-au-Prince*.
- HONDURAS** — Honduran Red Cross, 7a Calle, 1a y 2a Avenidas, *Comayagüela, D.M.*
- HUNGARY** — Hungarian Red Cross, V. Arany János utca 31, *Budapest V*. Mail Ad.: 1367 *Budapest 5*, Pf. 249.
- ICELAND** — Icelandic Red Cross, Nóatúni 21, 105 *Reykjavik*.
- INDIA** — Indian Red Cross, 1 Red Cross Road, *New Delhi 110001*.
- INDONESIA** — Indonesian Red Cross, Jalan Abdul Muis 66, P.O. Box 2009, *Djakarta*.
- IRAN** — Iranian Red Crescent, Avenue Ostad Nejatollahi, Carrefour Ayatollah Taleghani, *Teheran*.
- IRAQ** — Iraqi Red Crescent, Al-Mansour, *Baghdad*.
- IRELAND** — Irish Red Cross, 16 Merrion Square, *Dublin 2*.
- ITALY** — Italian Red Cross, 12 via Toscana, *Rome*.
- IVORY COAST** — Ivory Coast Red Cross Society, B.P. 1244, *Abidjan*.
- JAMAICA** — Jamaica Red Cross Society, 76 Arnold Road, *Kingston 5*.
- JAPAN** — Japanese Red Cross, 1-3 Shiba-Daimon 1-chome, Minato-Ku, *Tokyo 105*.
- JORDAN** — Jordan National Red Crescent Society, P.O. Box 10 001, *Amman*.
- KENYA** — Kenya Red Cross Society, St. John's Gate, P.O. Box 40712, *Nairobi*.
- KOREA, DEMOCRATIC PEOPLE'S REPUBLIC OF** — Red Cross Society of the Democratic People's Republic of Korea, *Pyeongyang*.
- KOREA, REPUBLIC OF** — The Republic of Korea National Red Cross, 32-3Ka Nam San-Dong, *Seoul*.
- KUWAIT** — Kuwait Red Crescent Society, P.O. Box 1350, *Kuwait*.
- LAO PEOPLE'S DEMOCRATIC REPUBLIC** — Lao Red Cross, P.B. 650, *Vientiane*.
- LEBANON** — Lebanese Red Cross, rue Spears, *Beirut*.
- LESOTHO** — Lesotho Red Cross Society, P.O. Box 366, *Maseru*.

- LIBERIA** — Liberian National Red Cross, National Headquarters, 107 Lynch Street, P.O. Box 226, *Monrovia*.
- LIBYAN ARAB JAMAHIRIYA** — Libyan Arab Red Crescent, P.O. Box 541, *Benghazi*.
- LIECHTENSTEIN** — Liechtenstein Red Cross, *Vaduz*.
- LUXEMBOURG** — Luxembourg Red Cross, Parc de la Ville, C.P. 404, *Luxembourg*.
- MALAGASY REPUBLIC** — Red Cross Society of the Malagasy Republic, rue Patrice Lumumba, *Antananarivo*.
- MALAWI** — Malawi Red Cross, Hall Road, *Blantyre* (P.O. Box 30080, Chichiri, *Blantyre* 3).
- MALAYSIA** — Malaysian Red Crescent Society, JKR 2358, Jalan Tun Ismail, *Kuala Lumpur* 11-02.
- MALI** — Mali Red Cross, B.P. 280, *Bamako*.
- MAURITANIA** — Mauritanian Red Crescent Society, B.P. 344, Avenue Gamal Abdel Nasser, *Nouakchott*.
- MAURITIUS** — Mauritius Red Cross, Ste Thérèse Street, *Curepipe*.
- MEXICO** — Mexican Red Cross, Avenida Ejército Nacional n° 1032, *México 10 D.F.*
- MONACO** — Red Cross of Monaco, 27 boul. de Suisse, *Monte Carlo*.
- MONGOLIA** — Red Cross Society of the Mongolian People's Republic, Central Post Office, Post Box 537, *Ulan Bator*.
- MOROCCO** — Moroccan Red Crescent, B.P. 189, *Rabat*.
- NEPAL** — Nepal Red Cross Society, Tahachal, P.B. 217, *Kathmandu*.
- NETHERLANDS** — Netherlands Red Cross, 27 Prinsessegracht, *The Hague*.
- NEW ZEALAND** — New Zealand Red Cross, Red Cross House, 14 Hill Street, *Wellington 1*. (P.O. Box 12-140, *Wellington North*.)
- NICARAGUA** — Nicaragua Red Cross, D.N. Apartado 3279, *Managua*.
- NIGER** — Red Cross Society of Niger, B.P. 386, *Niamey*.
- NIGERIA** — Nigerian Red Cross Society, Eko Aketa Close, off St. Gregory Rd., P.O. Box 764, *Lagos*.
- NORWAY** — Norwegian Red Cross, Drammensveien 20 A, *Oslo 2*, Mail add.: *Postboks 2338, Solli, Oslo 2*.
- PAKISTAN** — Pakistan Red Crescent Society, National Headquarters, 169, Sarwar Road, *Rawalpindi*.
- PAPUA NEW GUINEA** — Red Cross of Papua New Guinea, P.O. Box 6545, *Boroko*.
- PANAMA** — Panamanian Red Cross, Apartado Postal 668, Zona 1, *Panamá*.
- PARAGUAY** — Paraguayan Red Cross, Brasil 216, *Asunción*.
- PERU** — Peruvian Red Cross, Jirón Chancay 881, *Lima*.
- PHILIPPINES** — Philippine National Red Cross, 860 United Nations Avenue, P.O.B. 280, *Manila D 2803*.
- POLAND** — Polish Red Cross, Mokotowska 14, *Warsaw*.
- PORTUGAL** — Portuguese Red Cross, Jardim 9 Abril, 1 a 5, *Lisbon 3*.
- ROMANIA** — Red Cross of the Socialist Republic of Romania, Strada Biserica Amzei 29, *Bucarest*.
- SAN MARINO** — San Marino Red Cross, Palais gouvernemental, *San Marino*.
- SAUDI ARABIA** — Saudi Arabian Red Crescent, *Riyadh*.
- SENEGAL** — Senegalese Red Cross Society, Bd Franklin-Roosevelt, P.O.B. 299, *Dakar*.
- SIERRA LEONE** — Sierra Leone Red Cross Society, 6A Liverpool Street, P.O.B. 427, *Freetown*.
- SINGAPORE** — Singapore Red Cross Society, 15 Penang Lane, *Singapore 0923*.
- SOMALIA (DEMOCRATIC REPUBLIC)** — Somali Red Crescent Society, P.O. Box 937, *Mogadishu*.
- SOUTH AFRICA** — South African Red Cross, Cor. Kruis & Market Streets, P.O.B. 8726, *Johannesburg 2001*.
- SPAIN** — Spanish Red Cross, Eduardo Dato 16, *Madrid 10*.
- SRI LANKA (Dem. Soc. Rep. of)** — Sri Lanka Red Cross Society, 106 Dharmapala Mawatha, *Colombo 7*.
- SUDAN** — Sudanese Red Crescent, P.O. Box 235, *Khartoum*.
- SWAZILAND** — Baphalali Swaziland Red Cross Society, P.O. Box 377, *Mbabane*.
- SWEDEN** — Swedish Red Cross, Fack, S-104 40 *Stockholm 14*.
- SWITZERLAND** — Swiss Red Cross, Rainmattstr. 10, B.P. 2699, *3001 Berne*.
- SYRIAN ARAB REPUBLIC** — Syrian Red Crescent, Bd Mahdi Ben Barake, *Damascus*.
- TANZANIA** — Tanzania Red Cross Society, Upanga Road, P.O.B. 1133, *Dar es Salaam*.
- THAILAND** — Thai Red Cross Society, Paribatra Building, Chulalongkorn Memorial Hospital, *Bangkok*.
- TOGO** — Togolese Red Cross Society, 51 rue Boko Soga, P.O. Box 655, *Lomé*.
- TRINIDAD AND TOBAGO** — Trinidad and Tobago Red Cross Society, Wrightson Road West, P.O. Box 357, *Port of Spain*, Trinidad, West Indies.
- TUNISIA** — Tunisian Red Crescent, 19 rue d'Angleterre, *Tunis*.
- TURKEY** — Turkish Red Crescent, Yenisehir, *Ankara*.
- UGANDA** — Uganda Red Cross, Nabunya Road, P.O. Box 494, *Kampala*.
- UNITED KINGDOM** — British Red Cross, 9 Grosvenor Crescent, *London, SW1X 7EJ*.
- UPPER VOLTA** — Upper Volta Red Cross, P.O.B. 340, *Ouagadougou*.
- URUGUAY** — Uruguayan Red Cross, Avenida 8 de Octubre 2990, *Montevideo*.
- U.S.A.** — American National Red Cross, 17th and D Streets, N.W., *Washington, D.C. 20006*.
- U.S.S.R.** — Alliance of Red Cross and Red Crescent Societies, I. Tcheremushkinskii proezd 5, *Moscow 117036*.
- VENEZUELA** — Venezuelan Red Cross, Avenida Andrés Bello No. 4, Apart. 3185, *Caracas*.
- VIET NAM, SOCIALIST REPUBLIC OF** — Red Cross of Viet Nam, 68 rue Bà-Triệu, *Hanoi*.
- YUGOSLAVIA** — Red Cross of Yugoslavia, Simina ulica broj 19, *Belgrade*.
- REPUBLIC OF ZAIRE** — Red Cross of the Republic of Zaire, 41 av. de la Justice, B.P. 1712, *Kinshasa*.
- ZAMBIA** — Zambia Red Cross, P.O. Box R.W.1, 2837 Brentwood Drive, *Lusaka*.